

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the transfer of enlisted men of the Coast Guard to the Coast Guard Reserve."

#### TEMPORARY ASSISTANT CLERK, COMMITTEE ON THE JUDICIARY

Mr. BYRNES. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably, without amendment, Senate Resolution 244, and ask unanimous consent for its present consideration.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina?

There being no objection, the resolution (S. Res. 244), submitted by Mr. ASHURST on March 2, 1938, was considered and agreed to, as follows:

*Resolved*, That the Committee on the Judiciary hereby is authorized to employ an assistant clerk to be paid from the contingent fund of the Senate at the rate of \$1,440 per annum until the end of the present session.

#### TAX REVISION

The PRESIDING OFFICER. Pursuant to the order of the Senate, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 9682) to provide revenue, equalize taxation, and for other purposes.

#### EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. BANKHEAD in the chair) laid before the Senate messages from the President of the United States, submitting several nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

#### EXECUTIVE REPORTS OF COMMITTEES

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. GREEN, from the Committee on Foreign Relations, reported favorably, without reservation, Executive C, Seventy-fifth Congress, third session, a convention signed at Montreux, Switzerland, on May 8, 1937, between His Majesty the King of Egypt and the United States and certain other countries, defining the rights of the United States and of the other capitulatory powers in Egypt consequent upon the abolition of the capitulatory regime in that country, and an annex, protocol, and final act relating thereto, and submitted a report (Ex. Rept. No. 4) thereon.

The PRESIDING OFFICER. The reports will be placed on the Executive Calendar.

If there be no further reports of committees, the clerk will state in order the nominations on the Executive Calendar.

#### REGISTERS OF LAND OFFICES

The legislative clerk proceeded to read sundry nominations of registers of land offices.

Mr. BARKLEY. I ask unanimous consent that the nominations of registers of land offices be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of registers of land offices are confirmed en bloc.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I make the same request as to the nominations of postmasters.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That concludes the calendar.

#### RECESS

The Senate resumed legislative session.

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 8 minutes p. m.) the Senate took a recess until tomorrow, Thursday, April 7, 1938, at 12 o'clock meridian.

#### NOMINATIONS

*Executive nominations received by the Senate April 6 (legislative day of January 5), 1938*

##### UNITED STATES ATTORNEY

J. Charles Dennis, of Washington, to be United States attorney for the western district of Washington. (Mr. Dennis is now serving in this office under an appointment which expired April 3, 1938.)

##### UNITED STATES MARSHALS

William T. Mahoney, of Alaska, to be United States marshal for the first division of the District of Alaska. (Mr. Mahoney is now serving in this office under an appointment which expired April 5, 1938.)

John B. Colpoys, of the District of Columbia, to be United States marshal for the District of Columbia. (Mr. Colpoys is now serving in this office under an appointment which expires April 22, 1938.)

M. Frank Hammond, of Texas, to be United States marshal for the southern district of Texas. (Mr. Hammond is now serving in this office under an appointment which expires April 28, 1938.)

#### CONFIRMATIONS

*Executive nominations confirmed by the Senate April 6 (legislative day of January 5), 1938*

##### REGISTERS OF LAND OFFICES

Patrick J. Keohane to be register of the land office at Phoenix, Ariz.

Arthur J. Ewing to be register of the land office at Coeur d'Alene, Idaho.

Thomas F. Corbally to be register of the land office at Great Falls, Mont.

William F. Jackson to be register of the land office at The Dalles, Oreg.

Theodore Wanerus to be register of the land office at Buffalo, Wyo.

##### POSTMASTERS

##### CONNECTICUT

Helen Kathleen O'Brien, Glenville.

##### MICHIGAN

Eleanor C. Lutz, Pullman.

##### NEW HAMPSHIRE

Albert J. Picard, Derry.

Edward K. Sweeney, Exeter.

##### OREGON

Georgia G. Casebeer, Bly.

Ruby O. Roberts, Ione.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 6, 1938

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father's God, who hast never forsaken Thy children, continue to help and protect us. May we go forward with unfaltering footstep and with a deep consciousness of our responsibilities. Wherever there is a listening soul, there God is; the light breaks through to show the way. To Three we lift up our hearts in gratitude and praise for life, health, and strength. We pray that we may be worthy of the

inestimable gifts with which Thou hast endowed us. O Lord God, when we get a glimpse of the gleams of the Master we feel that we cannot live the life to which He points nor meet the claims of His promises. Oh, shame us, startle us, arouse us, and may we arise and be hopeful in our successes and stronger where we fail. O Prophet of God, subdue us and help us to serve the humblest need with gladness and not falter in fear and doubt. By Thy spirit may we keep the skies clear. In the name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 9605. An act to provide for a commissioned strength of 14,659 for the Regular Army.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3530. An act to amend the National Defense Act of June 3, 1916, as amended, by reestablishing the Regular Army Reserve, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 2904) entitled "An act for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LOGAN, Mr. SCHWELLENBACH, and Mr. CAPPER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 7104) entitled "An act for the relief of the estate of F. Gray Griswold," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MILTON, Mr. ELLENDER, and Mr. TOWNSEND to be the conferees on the part of the Senate.

The message also announced that the Vice President has appointed Mr. DONAHEY, Mr. BROWN of New Hampshire, Mr. SCHWARTZ, Mr. McNARY, and Mr. BORAH members on the part of the Senate of the Special Joint Congressional Committee to Investigate the Tennessee Valley Authority, as provided for in Public Resolution No. 83, approved April 4, 1938.

#### UNEMPLOYMENT AND RELIEF

Mr. LAMBETH. Mr. Speaker, from the Committee on Printing, I report back favorably (H. Rept. No. 2095) a resolution and ask for its immediate consideration.

The Clerk read as follows:

#### Senate Concurrent Resolution 28

*Resolved by the Senate (the House of Representatives concurring), That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Special Committee to Investigate Unemployment and Relief of the Senate be, and is hereby, authorized and empowered to have printed for its use 1,000 additional copies of the hearings held before said committee during the current session on the resolution (S. Res. 36) creating a special committee to investigate unemployment and relief.*

The resolution was agreed to, and a motion to reconsider was laid on the table.

#### RULES FOR CIVIL PROCEDURE

Mr. LAMBETH. Mr. Speaker, from the Committee on Printing I report back favorably (H. Rept. No. 2097) a resolution and ask for its immediate consideration.

The Clerk read as follows:

#### House Concurrent Resolution 47

*Resolved by the House of Representatives (the Senate concurring), That the Notes to the Rules of Civil Procedure for the District Courts of the United States, prepared under the direction of the Advisory Committee on Rules for Civil Procedure, be printed as a House document; and that 26,000 additional copies shall be printed, of which 17,000 copies shall be for the use of the House document room and 9,000 copies shall be for the use of the Senate document room.*

The resolution was agreed to, and a motion to reconsider was laid on the table.

#### RULES OF CIVIL PROCEDURE

Mr. LAMBETH. Mr. Speaker, from the Committee on Printing I report back favorably (H. Rept. No. 2096) a resolution and ask for its immediate consideration.

The Clerk read as follows:

#### House Resolution 458

*Resolved, That 8,000 additional copies of House Document No. 480, current session, entitled "A letter from the Attorney General of the United States transmitting the Rules of Civil Procedure for the District Courts of the United States," be printed for the use of the House document room.*

The resolution was agreed to, and a motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on House Joint Resolution 627, introduced by the gentleman from Virginia [Mr. WOODRUM].

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BINDERUP asked and was given permission to extend his remarks in the RECORD.

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a radio address on the reorganization bill made by myself.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein the final section of the report on the general survey of American youth problems by the American Youth Commission of Washington, D. C.

The SPEAKER. Is there objection to the request of the gentleman from California?

#### PERMISSION TO ADDRESS THE HOUSE

Mr. GRAY of Pennsylvania. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GRAY of Pennsylvania. Mr. Speaker, yesterday the gentleman from Kentucky [Mr. ROSSION] during his speech kindly yielded to me for this question:

Mr. GRAY of Pennsylvania. And that is to ask the gentleman from Kentucky if he remembers how long it is since the distinguished gentleman from New York [Mr. SIOVICH], who addressed the Committee just before the gentleman from New York [Mr. O'CONNOR] delivered a speech in this House tracing the origin of the New Deal to Karl Marx?

When the gentleman from Illinois [Mr. McKEOUGH] had the floor shortly afterward the gentleman from New York [Mr. SIOVICH], having received permission from the gentleman from Illinois, made this statement:

Mr. SIOVICH. I left to go to the cloakroom and while away I understand the distinguished gentleman from Pennsylvania [Mr. GRAY] made the statement that I had made a speech on the floor of the House in which I traced the birth of the New Deal to Karl Marx. I want to denounce that as a false statement.

[Here the gavel fell.]

Mr. STACK. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania may proceed for 1 additional minute.

The SPEAKER. The gentleman from Pennsylvania [Mr. STACK] asks unanimous consent that the gentleman from Pennsylvania may proceed for 1 additional minute.

Mr. RAYBURN. Mr. Speaker, I feel that I must object.

Mr. GRAY of Pennsylvania. I want only a minute to quote the RECORD. A Member has the right to do that.

Mr. RAYBURN. I have no objection to the gentleman's correcting the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.



Mr. GRAY of Pennsylvania. On page 1601 of the CONGRESSIONAL RECORD for February 6, 1935, in a speech by the gentleman from New York [Mr. Sirovich], after a discussion of Karl Marx and Engels, appears this statement:

This, in short, Mr. Speaker, constitutes the principles, ideals, and philosophy behind the socialistic concepts found in Karl Marx's Kapital.

The works of Marx and Engels marked the beginning of the class struggle. In them was made the earnest appeal for a new-deal era of socialistic development for the workers.

All this was theory. The way was pointed out to practice, but practical application was not forthcoming. The doctrines of Marx-Engels spread to Belgium, France, and England, and in Germany. In Germany the militant figure of Ferdinand Lassalle, fought for the Marx-Engels socialistic program. Lassalle was born in 1825, dying in a duel in 1864. Lassalle's contribution saw three stages in the development of labor: The ancient and feudal period which, through the subjection of the laborer, sought solidarity without freedom; the reign of capital and the middle classes established in 1789, which sought freedom by destroying solidarity; and the new-deal era, beginning in 1843, which would reconcile solidarity with freedom by the introduction of the principle of socialism.

It is significant to note that it was in the year of 1848 that the Communist manifesto was issued by the worthy Marx and Engels.

#### EXPERIMENTAL AIR-MAIL SERVICES

Mr. MEAD. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7448) to provide for experimental air-mail services to further develop safety, efficiency, and economy, and for other purposes, with Senate amendments thereto, and agree to the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate amendments, as follows:

Page 1, line 8, after "areas", insert "and including the utilization of patented articles and equipment upon payment of just compensation therefor."

Page 2, after line 20, insert:

"Sec. 3. The first sentence of subsection (f) of section 3 of the act entitled 'An act to revise air-mail laws, and to establish a commission to make a report to the Congress recommending an aviation policy', approved June 12, 1934, as amended (U. S. C., 1934 ed., Supp. II, title 39, sec. 469A (f), Public, No. 420, approved January 14, 1938), is amended to read as follows:

"(f) The Postmaster General shall not award contracts for air-mail routes or extend such routes in excess of an aggregate of 40,000 miles, and shall not pay for air-mail transportation on such routes and extensions in excess of an annual aggregate of 60,000,000 airplane-miles."

Page 2, after line 20, insert:

"Sec. 4. That subsection (c) of section 3 of the act entitled 'An act to revise air-mail laws, and to establish a commission to make a report to the Congress recommending an aviation policy', approved June 12, 1934, as amended, is amended to read as follows:

"(c) If, in the opinion of the Postmaster General, the public interest requires it, he may grant extensions at any point of any route: *Provided*, That the aggregate mileage of all such extensions on any one route shall not exceed 250 miles, and that the rate of pay for such extensions shall not be in excess of the rate per mile fixed for the service thus extended."

Page 2, after line 20, insert:

"Sec. 5. Subsection (d) of section 7 of the act entitled 'An act to revise air-mail laws, and to establish a commission to make a report to the Congress recommending an aviation policy', approved June 12, 1934, as amended, is amended to read as follows:

"(d) No person shall be qualified to enter upon the performance of, or thereafter to hold an air-mail contract, if it pays any officer, director, or regular employee compensation in any form whether as salary, bonus, commission, or otherwise, at a rate exceeding \$17,500 per year for full time: *Provided*, That it shall be unlawful for any officer or regular employee to draw a salary of more than \$17,500 per year from any air-mail contractor, or a salary from any other company if such salary from any company makes his total compensation more than \$17,500 per year."

Page 2, after line 20, insert:

"Sec. 6. Whenever he shall find it to be in the public interest, because of the nature of the terrain and the impracticability of surface transportation, the Postmaster General may award contracts for the transportation of any or all classes of mail by airplane upon star routes not over 200 airplane-miles in length by direct flight between termini, payment for such service to be made from the appropriation for inland transportation by star routes: *Provided*, That all laws and regulations not in conflict with this section governing star routes shall be applicable to contracts made under the authority of this section: *Provided further*, That the base rate of pay which may be allowed in awarding such contracts shall not exceed 20 cents per airplane-mile for a load not

exceeding 250 pounds of mail, and not exceeding 1 cent per airplane-mile for each 20 pounds of mail carried in excess of the 250-pound limit, except that in the discretion of the Postmaster General a higher base rate of pay may be allowed in awarding contract for carrying mail over circuitous routes of less than 75 miles in length: *And provided further*, That the provisions of the act of June 12, 1934 (48 Stat. 933), as amended by the act of August 14, 1935 (49 Stat. 614), shall not apply to the transportation of mail under this section: *And provided further*, That the Postmaster General shall not award more than five contracts for the transportation of mail under the authority of this section.

Mr. SNELL. Mr. Speaker, will the gentleman from New York tell us what these amendments mean?

Mr. MEAD. Mr. Speaker, the House sent over to the Senate a bill allowing the Post Office Department to initiate air-mail schedules on which certain safety appliances and equipment would be applied, in order that their use might be developed on a purely air-mail schedule rather than on a passenger schedule. The Senate added an amendment to that bill increasing the route mileage limitation from 35,000 to 40,000 miles, and the flown mileage limitation from 52,000,000 to 60,000,000 airplane miles. All of this is permissive only, and, of course, requires an appropriation before becoming a reality.

The Senate also adopted another amendment which allows the Post Office Department to institute star-route services of not to exceed 200 miles similar to the service now in existence in Hawaii and Alaska, where all classes of mail may be carried by airplane and paid for out of the star-route appropriation. This service is particularly necessary in the winter season when it is impossible to convey the mail either by train or dog team in certain sections of the United States. Therefore, the bill that comes back is the experimental bill passed by the House with amendments permitting the extension of the air-mail service and with regard to star-route services.

Mr. SNELL. May I ask the gentleman a question in reference to the Star Route Service? As I understand from his explanation, this does not materially affect the star routes in existence at the present time in the main part of the United States.

Mr. MEAD. No; it does not.

Mr. SNELL. It is entirely agreeable to all members of the committee?

Mr. MEAD. Yes. I discussed this matter with the members of my committee.

Mr. RICH. Do I understand that the gentleman is going to extend the Air Mail Service 10,000,000 miles?

Mr. MEAD. No. This is 8,000,000 scheduled or flight miles. For example, we may have between Pittsburgh and New York four daily services. We might increase that, we will say, to six services. The scheduled miles are the miles flown by the ship on all schedules, both going and coming, while the air-mail mileage is the ground mileage between Pittsburgh and New York. The scheduled miles between Pittsburgh and New York may be 10,000 miles, while the air mileage would not exceed 500 miles.

Mr. RICH. You are increasing the number of trips?

Mr. MEAD. Yes. We allow an increase in the schedule of the air-mail miles within the appropriation.

Mr. RICH. Do the revenues pay for the service that is rendered?

Mr. MEAD. On the larger lines they are paying for the services rendered.

Mr. RICH. Then this will in no way cause the Post Office Department to go further in the red?

Mr. MEAD. Not at all. That Department will not spend another cent over and above that contained in the air-mail appropriation.

Mr. RICH. This is something new, and we ought to congratulate the gentleman on that, because we have been going in the red too far, and we should try to get the receipts up.

Mr. MEAD. The gentleman's congratulations are 4 years too late. We have been out of the red for 4 years in the Post Office Department.

Mr. RICH. The reports do not show that.

Mr. MEAD. Perhaps not the way the gentleman reads them.

Mr. RICH. We have 3-cent postage, and we will never get back to the 2-cent postage again. You have now used up all the expenses and the Post Office Department is \$80,000,000 in the red.

Mr. CARLSON. The gentleman remembers when we passed the bill in the House it provided for an extension of 250 miles, and we provided in our bill that these extensions could take effect at any place on the air-mail route, not at the end of the route. Is that provision in this bill?

Mr. MEAD. That provision is still in the bill, and I may say to the gentleman who sponsored the amendment that it was done in order that we might expand our air-mail services in the central portion of the country, whereas under the old law the extensions were only granted at the end of the line. That stopped development in the center of the country.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. O'NEAL of Kentucky. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a speech delivered by my colleague, Hon. ANDREW J. MAY.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD, and to include therein two letters on the subject of revision of remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD, and include therein a statement of Judge Ben C. Dawkins as to the crowded conditions existing in the District Court for the Western District of Louisiana.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DOCKWEILER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of labor and wages and hours.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

#### GOVERNMENT REORGANIZATION

Mr. PACE. Mr. Speaker, I ask unanimous consent to address the House, and in connection therewith to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PACE. Mr. Speaker, there seems to be no dispute from any source that the agencies of government are badly in need of reorganization.

Since commencing my service as a Member of Congress I have tried to make a special study of the operation of the Federal Government and the activities of the different departments and bureaus of the Government, so that I could be of better service to the people of my district. The activities of the Government have been expanded to such an extent that they now affect the daily lives of every man, woman, and child in the Nation and in order to be of the best service to the people I think it is necessary that every Member of Congress should acquaint himself fully with every governmental activity.

But I must confess that while I have made a special study during my 2 years in Congress I am still a long way from getting acquainted with the duties and functions of the numerous departments and agencies. It seems to me that when these departments and bureaus are so numerous that

even a Member of Congress cannot easily become acquainted with their activities it must be admitted that we need consolidation, reduction, and simplification.

For 150 years Congress has created new departments and bureaus without any apparent effort at uniformity or coordination. It seems that when some new function of government was undertaken a new department or bureau would be created to carry out the purpose desired. What is the result? First we have the 10 departments as follows: Department of Agriculture, Department of Commerce, Interior Department, Department of Justice, Labor Department, Navy Department, Post Office Department, Department of State, Treasury Department, War Department.

Then we have 142 bureaus and agencies, as follows: The Aeronautical Board; the Alley Dwelling Authority; American Battle Monuments Commission; Board of Tax Appeals; Central Statistical Board; Civil Service Commission; Columbia Institution for the Deaf; Commission of Fine Arts; Commission to the International Exposition on Art and Technique in Modern Life; Commodity Credit Corporation; Council of National Defense; District of Columbia Government; Electric Home and Farm Authority; Emergency Conservation Work; Employees' Compensation Commission; Export-Import Bank of Washington; Farm Credit Administration; Federal Board of Surveys and Maps; Federal Communications Commission; Federal Deposit Insurance Corporation; Federal Emergency Administration of Public Works; Federal Home Loan Bank Board; Federal Housing Administration; Federal Power Commission; Federal Prison Industries, Inc.; Federal Reserve System, Board of Governors; Federal Savings and Loan Insurance Corporation; Federal Surplus Commodities Corporation; Federal Trade Commission; Foreign Service Buildings Commission; General Accounting Office; General Claims Arbitration, United States and Mexico; Great Lakes Exposition Commission; Greater Texas and Pan American Exposition Commission; Home Owners' Loan Corporation; Industrial Cooperation; Inland Waterways Corporation; International Boundary Commission, United States, Alaska, and Canada; International Boundary Commission, United States and Mexico; International Fisheries Commission, United States and Canada; International Joint Commission; Interstate Commerce Commission; the Joint Board; the Joint Economy Board; Maritime Commission; Mixed Claims Commission; National Advisory Committee for Aeronautics; the National Archives; the National Archives Council; National Capital Park and Planning Commission; the National Emergency Council; National Labor Relations Board; National Mediation Board; National Railroad Adjustment Board; National Resources Committee; National Youth Administration; Pan American Sanitary Bureau; Pan American Union; the Panama Canal; Perry's Victory and International Peace Memorial Commission; Prison Industries Reorganization Administration; Railroad Administration; Railroad Retirement Board; Reconstruction Finance Corporation; Rural Electrification Administration; Securities and Exchange Commission; Smithsonian Institution; Social Security Board; Soldiers' Home; Special Mexican Claims Commission; Tariff Commission; Tennessee Valley Authority; Veterans' Administration; War Finance Corporation; Washington National Monument Society; Works Progress Administration; Division of Research and Statistics; Comptroller of the Currency; Public Debt Service; Commissioner of Accounts and Deposits; Bureau of Internal Revenue; Federal Alcohol Administration; Bureau of Narcotics; Bureau of Customs; Mint Bureau; Bureau of Engraving and Printing; Procurement Division; United States Coast Guard; Public Health Service; Bureau of the Budget; Bureau of Insular Affairs; National Guard Bureau; Bureau of Navigation; Bureau of Ordnance; Bureau of Construction and Repair; Bureau of Engineering; Bureau of Medicine and Surgery; Bureau of Aeronautics; Bureau of Supplies and Accounts; Bureau of Yards and Docks; General Land Office; Cadastral Engineering Service; Office of Indian Affairs; Office of Education; Federal Board for Vocational Education; Geological Survey; Bureau of Reclamation; National Park Service; Bureau of Mines; Ter-



ritorial Officers; Puerto Rico Reconstruction Administration; Bureau of Agricultural Economics; Bureau of Agricultural Engineering; Bureau of Animal Industry; Bureau of Biological Survey; Land Acquisition Division; Bureau of Chemistry and Soils; Bureau of Dairy Industry; Bureau of Entomology and Plant Quarantine; Food and Drug Administration; Forest Service; Commodity Exchange Administration; Bureau of Home Economics; Bureau of Plant Industry; Bureau of Public Roads; Soil Conservation Service; Weather Bureau; Farm Security Administration; Bureau of Air Commerce; Bureau of Foreign and Domestic Commerce; National Bureau of Standards; Bureau of Fisheries; Bureau of Lighthouses; Coast and Geodetic Survey; Bureau of Marine Inspection and Navigation; Patent Office; Bureau of Labor Statistics; Immigration and Naturalization Service; Children's Bureau; Women's Bureau; United States Employment Service; United States Housing Corporation.

No private business in this Nation could operate very long under the system we have in the Federal Government. Many of these bureaus and agencies are carrying on work of very much the same character, and, to my surprise, I find that one bureau or agency does not know what the other is doing. The duplication and overlapping of work is startling. Many have more employees than are needed, more employees than can find useful work to do, and I am convinced that millions and millions of dollars can be saved through proper consolidation and simplification.

There is no public question that interests me any more than efficiency and economy in government. The people who pay the taxes are entitled to have their money spent in an efficient and economical manner. One of the reasons our people object to high taxes today is because they see and know that a great deal of their money is being thrown away. It was, therefore, very disappointing to me to hear the statement by those who are sponsoring the reorganization bill that it will not do much toward securing efficiency and economy, and I hope before we pass the bill it can be corrected and perfected in such manner as to bring about more efficiency in our Government and a more economical operation of our Government.

I am also disappointed that this great question of reorganization and consolidation has been beclouded by partisan attacks and cries of dictatorship. Many of you seem to forget, in your attacks upon the President, that we are also threatened with a dictatorship of bureaucracy.

I am as jealous as any man of the rights of the people and the constitutional authority of the Congress, and I shall not vote to abridge or surrender either. But in my eagerness to secure efficiency and economy in government I do not intend to be swept off my feet by political or partisan issues. Congress has tried for years to reduce and consolidate these numerous bureaus and agencies, but the officials and hundreds of thousands of employees in these bureaus have been able to defeat those efforts. I am convinced that the only way in which we will be able to secure an efficient and economical program is by permitting some impartial agency to work out a plan and the enormous details and submit it to the Congress for its consideration and approval, and frankly I know of no single objection to requesting the President, through trained experts, to work out a plan of reorganization and consolidation of these numerous bureaus and agencies, without interference with those which are and must remain independent and of a quasi-judicial character, and then submit it for approval to the authority upon which rests the constitutional right and duty to legislate; that is, the Congress of the United States.

I want to see more business in government and less government in business, and my appeal is that we consider this question of reorganization as businessmen, free from the passions of partisanship and politics; that we preserve and protect every right and duty of the Congress; that we recognize and respect every right and duty of the President; and that we proceed in an orderly, lawful, and constitutional manner in seeking and securing an administration of the functions of government along the lines of efficiency and economy. We

can pass on to our children no greater inheritance nor perform a greater service to those who are today groaning under the burden of taxation.

#### EXTENSION OF REMARKS

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein two brief addresses, one by the Governor of my State on the development of rural New England, and the other on trends in government, by Mr. A. W. Simpson, commissioner of public welfare of my State.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record, and include therein a statement by John T. Flynn, economist.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

#### THE AMERICAN PURGE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### THE WORKINGMAN'S JOB IS AT STAKE

Mr. HOFFMAN. Mr. Speaker, we are fighting today to defeat the passage of the reorganization bill, which millions of our people believe will enable the present dictatorship in Washington to, under the guise of legality, add to and consolidate its dictatorial powers.

There is another branch of our Government which, pretending to act under legal authority heretofore granted, is liquidating the employers in our land as surely, as systematically, and as effectively, as the Russian butchers slaughtered the kulaks.

True, the purge now being carried on is not as bloody. It is just as disastrous and has the disadvantage of leaving those who feel its force upon the relief roll instead of in a grave.

There are exceptions. It is to one of these that the attention of the membership of the House is called, especially those Members who have in the districts in which they live men who, through the years, have built up an industry and have been giving employment, in the aggregate, to hundreds of thousands of workers.

Here is the story. In 1930 the Kiddie Kover Manufacturing Co. came into existence in the beautiful little city of Grand Haven, Kent County, Mich. Arthur L. Colten was the manager, an industrious, conscientious, patriotic American, the head of a typical American family—a wife and six children.

The company gave employment to some 200 persons. When Governor Murphy gave encouragement to the unlawful activities of John L. Lewis and his C. I. O. in its invasion of Michigan and the seizure of the General Motors plants at Flint and elsewhere, this little company was caught in the backwash.

A disagreement with the union, a C. I. O. affiliate, occurred. A strike was called. There was violence. A peace officer was assaulted. Three of the strikers were arrested for the assault. One, an 18-year-old girl, who had worked at the plant for less than 2 months; the other two, men who had never worked at the plant.

The two men, after a jury trial, were sentenced to prison; the girl was given 6 months in jail, and was pardoned by Governor Murphy after serving 2 weeks.

Charges were brought by the National Labor Relations Board. The usual hearing followed, with the usual result. The company was found guilty of unfair labor practices, and the Board ordered that the strikers be reinstated within 10 days.

A copy of this order issued by the Board, which had persecuted and harassed him for more than a year, was finally received by Mr. Colten.

Realizing that the business to which he had given his life's best efforts could no longer exist, when warred upon by the Federal Government, Colten Sunday went to his room in his home, and clutching the order of the Board in one hand, with a .32 caliber pistol, shot himself. He died two hours later, leaving the six children and the widow.

Will Lewis, the Committee for Industrial Organization, the National Labor Relations Board, or the New Deal administration, which dispenses the more abundant life, care for the children and the widow and continue to give employment to those employees who have heretofore worked for the company which Mr. Colten managed? Or will the workers find other jobs?

This is one instance where the end not only was tragic but cost a life—the life of a man who was persecuted, hounded, and driven to his death by an agency of the Federal Government.

If this were an isolated instance it might be attributed to the nervous or mental condition of a man who could no longer endure persecution and it might be passed by as an incident in the great scheme of the giving of the more abundant life.

While in other cases persecution by this Board has not resulted fatally, unfortunately its activities have resulted time and time again in the wrecking of an industrial concern, in the depriving of workers of their jobs, of stockholders of their source of income.

It has added to the unemployment rolls, to the relief rolls, to the depression.

You may shut your eyes; you may argue, but the cold, stark fact remains that, in plant after plant, the National Labor Relations Board has issued orders which will inevitably result in producing unemployment, in the closing of industrial plants, junking of factories, bankruptcy to many a struggling concern.

One union gains an ascendancy and demands a closed-shop contract. Members of another union stage a pitched battle in retaliation. In the adjoining town or the next State the opposite union is the collective-bargaining agency. It demands a closed shop and the battle by the opposing faction is brought on.

The employer, caught in the strife between the two, is ground to powder, the savings of a lifetime wasted, the industry destroyed.

Men are sick of relief jobs, of direct relief orders. Men want work. Employers want to give men work. They cannot do it while the policies of this administration continue in force.

The taking possession of industries in Italy was one of the excuses used by Mussolini for the seizure of industrial plants. Are those who here in America are taking possession of factories, closing them by force of demands which cannot be met, preparing the ground for a revolution?

We know the remedy to be the amendment of the Wagner law and a house cleaning in the N. L. R. B., purging it of that type who physically resemble and who intellectually entertain the views of the Russian Communists.

Are we too fearful of our political lives to perform the duty which rests upon us and which we know must some day, and that right soon, if our democracy is to be preserved, be performed by this legislative body?

We fear the dangers which may follow the passage of the reorganization bill, but today, now, all over this country, the National Labor Relations Board, aided by its ally, the Senate Civil Liberties Committee, is tyrannically destroying industry, the freedom of the worker, and sowing the seed which will inevitably, if this course continues, bring civil war.

#### EXTENSION OF REMARKS

Mr. LAMNECK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein a radio address delivered last night by my distinguished colleague the gentleman from New York [Mr. O'CONNOR].

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### GOVERNMENT REORGANIZATION

Mr. COCHRAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 3331) to provide for reorganizing agencies of the Government, extending the classified civil service, establishing a General Auditing Office and a Department of Welfare, and for other purposes; and pending that motion, I ask unanimous consent that general debate close in 3 hours.

Mr. CHURCH. I object.

Mr. JARRETT. I object.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentlemen withhold their objection for a moment?

Mr. CHURCH. Mr. Speaker, if I hold the floor I will withhold the objection. I do not want to lose my right to the floor.

Mr. O'CONNOR of New York. Reserving the right to object, Mr. Speaker, may I suggest to the gentleman from Missouri in view of the many requests for time that debate run throughout the day and the bill be taken up for reading under the 5-minute rule tomorrow?

Mr. CHURCH. Mr. Speaker, I have the floor. I object.

Mr. TABER. Mr. Speaker, will the gentleman withhold his objection?

Mr. CHURCH. Yes, Mr. Speaker; if I may hold the floor, I will reserve it.

Mr. RAYBURN. The gentleman from Illinois just objects to the 3 hours?

Mr. CHURCH. Yes.

Mr. TABER. Reserving the right to object, Mr. Speaker, it would seem to me that general debate should run through the day. I would think that in some way we might find a way of closing debate tonight without serious embarrassment. We will have to cut down the time of some of those who want to speak; that is, not give them as much time as we would like to give them, but we will be able to give everybody an opportunity in that time, I should think.

Mr. COCHRAN. Mr. Speaker, in view of the sentiment expressed by the gentleman from New York [Mr. O'CONNOR]—

Mr. CHURCH. Mr. Speaker, I did not yield to the gentleman. I still have the floor.

The SPEAKER. The gentleman is modifying his request. The gentleman from Missouri is recognized.

Mr. RAYBURN. I ask for the regular order, Mr. Speaker, so the gentleman may object now.

Mr. CHURCH. I object. I will yield to the gentleman.

Mr. RAYBURN. The gentleman has already objected.

Mr. CHURCH. I object.

The SPEAKER. Does the gentleman from Illinois object to the unanimous-consent request, as submitted by the gentleman from Missouri, for 3 hours?

Mr. CHURCH. I am objecting, yes, Mr. Speaker.

Mr. COCHRAN. Mr. Speaker, in view of the statement made by the gentleman from New York [Mr. O'CONNOR], as well as the statement made by the gentleman from New York [Mr. TABER], I ask unanimous consent that general debate on the bill close when the House adjourns tonight.

Mr. CHURCH. I object.

Mr. O'CONNOR of New York. Will the gentleman withhold his objection?

Mr. CHURCH. I withhold my objection at the request of the gentleman from New York, Mr. Speaker.

The SPEAKER. Let the Chair submit the request of the gentleman from Missouri.

The gentleman from Missouri, pending his motion to go into the Committee of the Whole House on the state of the Union, asks unanimous consent that general debate on the pending bill be closed at the conclusion of today's proceedings.



Mr. O'CONNOR of New York. Reserving the right to object, Mr. Speaker, I have discussed this with the distinguished majority leader and others, and I think that is a reasonable request. If we have the rest of the day for general debate and take up the reading of the bill tomorrow, I believe that will accommodate everybody. Of course, everybody knows my position on the bill.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR of New York. I yield.

Mr. CHURCH. Is it definitely understood there will be no reading of the bill today?

Mr. O'CONNOR of New York. I understand the reading of the bill will not start until tomorrow.

Mr. COCHRAN. Under the request it could not start until tomorrow, because the request provides that general debate continue until the House adjourns tonight.

Mr. O'MALLEY. Mr. Speaker, will the gentleman from New York yield?

Mr. O'CONNOR of New York. Yes.

Mr. O'MALLEY. Is there any reason why some definite date could not be fixed with respect to when we will come to a vote on this bill? In the other body it is possible for Members to know a little bit in advance about when they are going to vote on a pending measure.

Mr. O'CONNOR of New York. Of course, we are going to come to a vote on this bill about 1 o'clock tomorrow, when I submit my motion to strike out the enacting clause. [Applause.]

Mr. O'MALLEY. There are a good many Members who have gone along in this debate who are entitled to some consideration.

Mr. SNELL. Mr. Speaker, will the gentleman from New York yield to me?

Mr. O'CONNOR of New York. I yield.

Mr. SNELL. I have been as insistent as any man on this side on having reasonable time to discuss this important legislation, and I think if we do run along until tonight and there is no special effort made to adjourn until everyone has had a reasonable opportunity to express himself, this will meet the situation fairly, and I therefore have no objection to the request made by the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. SNELL. Yes.

Mr. COCHRAN. I will promise the gentleman that so far as I am concerned, I shall not move to rise until I have an agreement with the gentleman from New York.

Mr. STACK. Mr. Speaker, I reserve the right to object to ask the chairman of the committee a question.

Mr. MAVERICK. Regular order, Mr. Speaker. There is no reason for us to keep on talking here about this.

Mr. STACK. Will the gentleman agree to give those of us on this side of the aisle who are opposed to the bill some time?

Mr. COCHRAN. I have requests for time before me and I may say that over half of the requests, which will be granted, are from those in opposition to the bill.

Mr. BOILEAU. Mr. Speaker, reserving the right to object, I would like to ask the distinguished chairman of the committee if he will be kind enough to inform the House of the contents of the amendment the committee proposes to offer to the committee amendment with reference to having a concurrent resolution? As I understand it, the committee has had a good deal of difficulty in working out the amendment which the committee intends to present to the House as being constitutional, and I submit that some of the rest of us would like to have a little time to examine the amendment. May I ask the gentleman if he will give us an opportunity to see the amendment and study its contents?

Mr. COCHRAN. I may say to the gentleman from Wisconsin that the gentleman from Ohio [Mr. KNIFFIN] is preparing that amendment. I have not had an opportunity to talk with the gentleman this morning and I do not know whether the amendment has been prepared in final form, but as soon as it is ready, I shall inform the gentleman.

Mr. BOILEAU. Can the gentleman give us any assurance as to when it will be ready? The request with respect to the amendment was made last Saturday, and I think we ought to have some idea now as to what is going to be in the amendment.

Mr. COCHRAN. I will guarantee the gentleman that as soon as it is available I shall do my best to see that he gets the information.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 3331, the Government reorganization bill, with Mr. McCORMACK in the chair.

The Clerk read the title of the bill.

Mr. COCHRAN. Mr. Chairman, I yield 20 minutes to the gentleman from Kentucky [Mr. FRED M. VINSON].

Mr. FRED M. VINSON. Mr. Chairman, it will be my purpose to speak to the bill, and particularly that part of the bill, title III, generally referred to as the General Accounting Office title. It is rather amusing to me to hear statements made concerning this bill and concerning the select committee handling the bill with reference to their independence or, rather, lack of independence.

Mr. Chairman, we report this bill to you as the agents and servants of the House. We bring it to you after months of deliberation. The history in connection with this committee may cause some folks to realize that the independence of the committee and the independence of all members of the committee have been what you would have it be. The committee was formed by your vote on January 19, 1937. Two resolutions were voted, and the House, by your vote, set up a committee to bring in proposed legislation in regard to the reorganization of the executive agencies of our Government. The Speaker of this House appointed the committee. I considered it a signal honor to have been charged with this responsibility even though—and the Speaker will bear me out—I said to him that because of other work that had been imposed upon me here I preferred not to serve upon the committee. He asked me to serve, and I accepted the responsibility. From the moment of appointment until now the committee has had independence of thought and independence of action. We met with the joint committee and we had 13 days of hearings. In addition to that the select committee of the Senate had hearings. In addition to that the Byrd select committee had hearings. Thousands of pages were printed upon the subject of reorganization. The House committee broke up into subcommittees and we worked for days and weeks in regard to the particular bills to which the subcommittees directed their attention.

I am speaking now in connection with the General Accounting Office bill and tell you that the hearings will show that this bill is an evolution, an evolvment, from the experiences of the Government and from the studies and experiences of members of the committee in their own right.

Opponents of this measure still talk about the abolition of the General Accounting Office. The General Accounting Office is not abolished in the House bill. The recommendation of the Brownlow committee was to abolish the General Accounting Office and to put the functions of control in the hands of the Treasury. With independence, your committee said, "No; that the General Accounting Office by and large had done a good job, and we wanted to continue that agency." The record is clear that the General Accounting Office has not performed the function for which it was set up. If you will talk with people in the General Accounting Office who are fair, they will tell you they have not made an independent audit from the time they came into being.

The question of putting the control functions in the Budget came up after we had prepared our bill. The original Senate bill, S. 2700, was introduced on June 23, 1937. We had prepared our bill before that time and had it ready for

submission to the subcommittee and then to the full committee. It was reported to the House in August.

Folks who prate of their love for the Constitution, I ask you to hear me now. Folks who say that they respect the Constitution, I ask your ear. On last Friday I made a speech in this place and recounted the history relative to the control of expenditures by the Federal Government. I started with the Constitutional Convention. I referred to the Madison amendment in the First Congress. I referred to contemporaneous construction for 131 years. I referred to testimony before the select committee on the Budget and Accounting Act in 1919, seeking to have an independent audit, so that the Congress would know how the people's money was being spent.

I referred to Supreme Court decisions, the Myers case, the Springer case, strong opinions rendered by the Supreme Court of the United States in respect of the power of Congress "to deal with the property of Government by making rules and not by executing them." I referred to Stockman against Liddy—a Colorado case—and to the Tremaine case—a New York case—as well as the Mitchell opinion.

Mr. Chairman, those who believe in the maintenance of constitutional government, I challenge you to say that the fathers in the Constitutional Convention—that Madison and those in the First Congress, and those who lived during the 131 years down to 1921, did not know how to interpret the Constitution and the divisions of power. I recall as witnesses the testimony before the committees when the Budget and Accounting Act was being considered. I call as a witness in regard to this subject a statement in our own hearings made by a great American, a man who won distinction for himself as a lawyer and a lawmaker in both the House and the Senate of the United States, a man who loved the Constitution.

I refer to the late Joseph T. Robinson, who was chairman of the Joint Committee on Organization. I read from a statement he made in those hearings, mainly for the purpose of giving you his views and likewise to show you that this is a novel proposition. The idea of control of expenditures and a real check in the legislative branch is not a new scheme. It did not come here overnight.

I did some work in regard to this matter and presented my views to the joint committee. I will not bore you with those views at this time, but I will read what Senator Robinson said in regard to the constitutional control of expenditures and a real check in the legislative branch is not a new legislative agency.

The following colloquy led up to this statement made by Chairman Robinson:

Representative VINSON. The question of power there is a very serious one, I think, Senator BYRD. When that agency is of the legislative, to my mind, it is beyond our power. I dislike to reach that conclusion, too; but I think the authorities make it rather clear that after Congress appropriates money, with limitations that anything that it wants as to spending, that then it is a responsibility of the Executive as to the spending of that money.

Senator BYRD. Only to this extent, I think, Mr. VINSON, if Congress appropriates the money and says it shall be spent in a certain way, namely, bids shall be asked for and a number of restrictions shall be required, then I think Congress has a right to know these appropriations have been legally expended in accordance with the law.

Representative VINSON. Congress may have a right to know, and should know, how it is spent, but getting rid of that particular money is an executive function. And if the Executive fails to live up to the law, why Congress can refuse the appropriation next time; but Congress, in my opinion, cannot tie a rope on to a dollar and hand it over to the Executive and still control the manner of the expenditure by the Executive.

Senator BYRD. Of course, I am not a lawyer and know nothing about the Constitution, but I should certainly think Congress has a right to prescribe the ways and means whereby the money shall be properly spent.

Representative COCHRAN. Congress can limit the purposes of the expenditures, but there are numerous decisions to support Mr. VINSON's contention.

The CHAIRMAN. I think the Comptroller General regards himself as an agent of the Congress rather than as an agent of the Executive. I have talked with him personally and he has emphasized the fact that the Comptroller General is the legislative agent.

Senator BYRD. That is the basis of the act.

The CHAIRMAN (Senator Robinson). And therefore the pertinency of the remark of the gentleman from Kentucky—can Congress, after it makes an appropriation, through its agent, which is the same as it is itself for the purposes of this discussion, control the expenditure? The point that Mr. VINSON makes is, to my mind, a very clear one; namely, that after the appropriation has been made upon any condition Congress sees fit to adopt it then devolves upon the Executive, and not upon the legislative, to make the expenditure in conformity with the conditions. If so, I think that it is a very serious question whether we can say by legislation that we not only make this appropriation and attach conditions for its expenditure, but we will make the expenditure, or make the expenditures, ourselves. I agree with Mr. VINSON that the Supreme Court would probably hold, or any other court would probably hold, that it is an effort to exercise a legislative function by the legislative department, and therefore futile.

Senator BYRD. The act of 1921 did just that, did it not, so it has been in effect 15 years?

The CHAIRMAN. I think it is true the bill intended to prescribe an agent of the legislative department and not an agent of the Executive. But that is the point Mr. VINSON makes, as I understand it, that we cannot, either in an act heretofore passed or in an act hereafter to be passed, exercise a valid legislative authority by controlling an expenditure, by directing an expenditure, by making an expenditure after we have made the appropriation. (From hearings before Joint Committee on Government Organization of the Congress of the United States, 75th Cong., 1st sess., pp. 265-267, Mar. 19, 1937.)

Mr. Chairman, in the face of the history of this country, in the face of Supreme Court decisions, and in the light of that statement of a great man, a great lawyer, who looked through the doors of the Supreme Court that were ajar, until the God of our destiny called him home, I ask those who say that our control features are unconstitutional to point to a single authority. A week has passed and none has been forthcoming. In fact, we reported the bill to the House on August 19, 1937, and no authority to the contrary has been produced.

Oh, they say that even though we reserve to the Comptroller General every power that is vested in him under the Budget and Accounting Act except that of postaudit, because he is of the executive department he would not have courage enough to do the right thing. That condition existed for 131 years before there was a Budget and Accounting Act. The control was in the Executive, where the fathers placed it.

Mr. Chairman, if we had removed the provision attempting to make the Comptroller General a legislative agent and had done nothing else, criticism might be tenable, but we do not do that. We set up a real arm of the legislative branch. We set up a man who can say "No." The question has been asked, Can the Comptroller General under our bill say "No"? Mr. Chairman, in the first place, except in the heat of debate, men are not so small, so weak, and so eager to hold public office as would cause any real man to swerve from the course that he thought was right.

There have been dozens and dozens of instances where men in the executive branch of the Government have refused to bend their knee to the Executive when they thought he, the Executive, was wrong. It happens every day in this Government. If you will pardon an allusion to one of our colleagues, may I call your attention to a grand little man from Maryland who was on the Tariff Commission. When Mr. Coolidge wanted him to bend his knee, DAVID LEWIS said "No." I could point to many such instances. A man who would be craven enough, regardless of what position he occupied, legislative, judicial, or executive, who would not have the courage to say "yes" when he should say "yes," and "no" when he should say "no," does not deserve the honor of his people nor the honor of the mandate conferring the office upon him.

Mr. BREWSTER. Will the gentleman yield?

Mr. FRED M. VINSON. I must decline to yield on account of the time element. I say to you that in this bill we set up a legislative agent. I grant that you folks must have had the same trouble I had when I heard that first talk about an audit. I have been accused of being everything, including an accountant and a bookkeeper, and of course, while I like encomium, I cannot lay claim to such honor.

When I first heard the term "audit," do you know what I thought? It may be what you thought. It may be what



you are thinking now. I thought that after a year's expenditure they would send some fellow to look over the books and then draw a conclusion from the books. I did not know what the audit actually was. It may be that some of you gentlemen are in the same fix.

Mr. Chairman, let me tell you what this audit is. This audit includes the power to say whether the money was properly spent or not. That is what the audit is.

Mr. MICHENER. Will the gentleman yield?

Mr. FRED M. VINSON. I regret that I cannot yield.

Assume an employee spends \$10 in traveling expenses. Under this bill, that voucher when it is made up goes to the auditor general from the disbursing officer. It goes to him then. The auditor general then determines whether the money was improperly spent. It does not make any difference whether the amount involved is \$10 or \$10,000,000. Before the account is settled it must pass the scrutiny of the auditor general. If he thinks the money was not properly spent, he immediately notifies the disbursing officer so that the disbursing officer will have the information to straighten out the account. As the situation exists now sometimes many months pass before the disallowance comes back to the disbursing officer.

Under this provision for the auditor general, every activity of the Federal Government, every voucher and every account will be passed on by him, the legislative officer. This is not the case now. There are more than 16 agencies that the Congress itself has solemnly taken from under the supervision and control of the General Accounting Office. I refer to the R. F. C., the F. D. I. C., the H. O. L. C., the Agricultural Adjustment Act of 1935, and many other agencies that have spent many millions of dollars.

Under this bill their current expenditures will be audited by the auditor general. Now let us go one step further. Assume that the auditor general says the money should not be spent. He is standing there without any danger of removal, truly a legislative agent. The Comptroller General takes issue with him. The Comptroller General says, "I think it should be O. K'd." The Comptroller General O. K's it. Then the auditor general reports the disagreement to the Congress of the United States. Could the worst enemy of this administration or this particular feature of the bill say the Congress has lost control over the expenditures, in view of the fact a man is standing there, a real watchdog of the Treasury, to see that the executive branches of the Government do not improperly spend money, and who can say to the Congress that this money is not being properly spent? We will have more control in the legislative branch of government under this bill than we have today. Because under the present set-up the man who has the right to say how the money shall be spent is the man who audits his own accounts. It is not strange that Congress is not informed of any error in his action.

Mr. O'MALLEY. Mr. Chairman, will the gentleman yield?

Mr. FRED M. VINSON. I must decline to yield, on account of time solely.

[Here the gavel fell.]

Mr. FRED M. VINSON. Mr. Chairman, I yield myself 10 additional minutes.

Here is a statement in the New York Herald Tribune, April 5, 1938, written by Mr. Walter Lippmann, in which he discusses the whole reorganization bill and particularly the General Accounting Office. In part he says this:

To have Congress learn promptly and from its own agent how money has been spent is, it seems to me, the most effective check that Congress can set up against the Executive. Does anyone suppose that the President or a Cabinet officer or a bureau head would dare to spend money for some purpose not authorized by Congress if he knew for certain that within a short time the transaction would be audited, that it would be reported to Congress, and that he would have to explain his acts? This is the system by which Parliament holds the British Executive accountable. There can be little doubt that it is the most effective system of accountability in the world.

[Applause.]

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Keep in mind that under the existing system control of expenditures is held by one man, and he determines whether or not he has exercised proper judgment or proper discretion. Naturally, Congress never hears from him as to whether he is right or wrong.

I insert the Lippmann article in full at this point:

TODAY AND TOMORROW

(By Walter Lippmann)

ENDS AND MEANS: THE REORGANIZATION BILL

The intensity of the opposition to the Byrnes reorganization bill is clearly out of all proportion to the substance of the bill itself. Under any interpretation, however strained, it is not possible, I think, to find in the measure as passed by the Senate any grant of new powers to the President which gives support to the charge that it would aggrandize his power or diminish that of Congress. On the contrary, a very strong case can be made out for arguing that the most important part of the measure is the reform of the accounting system and that this reform offers Congress a better means than it has ever had before to find out what the Executive has done and then to hold the Executive responsible.

There is room, of course, for honest differences of opinion on all these points but under ordinary circumstances the bill itself would never provoke such passionate resistance. The debate does not turn upon whether the President of the United States should be authorized to do these things but upon whether more authority of any kind should be entrusted to this particular President—to the man who tried to pack the Supreme Court and to purge the Federal judiciary, to the man who has had the spending of such immense sums of money, to the man who tried in his original proposal to obtain control of the quasi-judicial commissions and independent agencies, to the man who already exercises more personal power than any President in the history of the country. The resistance is not to the Byrnes bill but to the excessive personal power of Franklin D. Roosevelt, and the object of the opposition is not to prevent reorganization of the executive branch but to put a spectacular and decisive check upon this President's authority.

Using Mr. Philip Guedalla's maxim that any stigma is good enough to beat a dogma with, the opponents of the bill are meeting the President's cry that he is beset by reactionaries with the charge that this bill gives him dictatorial powers. Yet, except that the bill provides a convenient way of challenging and perhaps defeating Mr. Roosevelt, it is impossible, I think, to sustain the main argument against it.

There is much discussion, for example, about the provision which authorizes him to regroup executive agencies without abolishing any of their functions, subject to the right of Congress to disapprove within 60 days. This has been described as being in some way like the judiciary bill. But is it? Is there not a radical difference between giving the Chief Executive authority to reorganize his own branch of the Government and giving him authority to reorganize a coordinate branch of the Government? Who has a better right than the President to say how the agencies under him can be most efficiently organized? And is it any extension of executive power to let the Chief Executive take the initiative in deciding how agencies, already under his control, shall be grouped? The opposition is demanding that the bill be amended so that instead of letting the President reorganize these agencies unless Congress disapproves, he may reorganize them only if Congress affirmatively approves. The amendment is intended to defeat the whole proposal. For the President already has the power to ask Congress to approve administrative reorganization, and no new legislation is needed to confirm it.

This part of the bill is, it seems to me, of only minor importance. It does not add anything substantial to the President's power to let him move the bureaus around from one department to another. He had this power for 2 years and he used it hardly at all. If he wishes to use it for a sinister purpose, it is hard to see how he could do anything very sinister by taking a bureau away from, say, Secretary Wallace and giving it to Secretary Ickes. He controls all the bureaus anyway, and whether he controls them through one of his subordinates or through another does not seem to me to matter very much. To see in this an advance toward dictatorship is, I think, to strain at a gnat. The truth is, I believe, that this power will not be used much for good or for evil, and that both the administration and the opposition are exaggerating its importance.

The important feature of the bill is the proposal to have Congress appoint an auditor general who will report to a joint committee of Congress. The opponents of the bill argue that the effect of this reform will be to abolish the power of the independent Comptroller to prevent illegal expenditures. But, for my own part, I am persuaded of two things—first, that the existing Comptroller is unable to do what he is supposed to do and that he has never done it, and that an audit of the relief and recovery expenditures in the past 5 years would prove this contention up to the hilt; and, second, I am persuaded that the auditor general under the Byrnes bill will, for the first time in our history, enable Congress to see clearly how the money has been spent and whether the Executive has obeyed the will of Congress.

To have Congress learn promptly and from its own agent how money has been spent is, it seems to me, the most effective check that Congress can set up against the Executive. Does anyone

suppose that the President or a Cabinet officer or a bureau head would dare to spend money for some purpose not authorized by Congress if he knew for certain that within a short time the transaction would be audited, that it would be reported to Congress, and that he would have to explain his acts? This is the system by which Parliament holds the British executive accountable, and there can be little doubt that it is the most effective system of accountability in the world.

So the question for me is whether an essentially good bill ought to be defeated, not on its merits but on the general ground that it is a good moment to clip the personal authority of Franklin D. Roosevelt. It is the question of whether the end justifies the means. For the end is, I think desirable; it is clear to me that Mr. Roosevelt has more personal power than is good for him or for the country, and that to restore a more constitutional spirit in the Government and to reduce his excessive personal authority would make for national confidence and would tend to restore social peace.

But to reach this end by defeating an essentially good measure, and to defeat this measure by an agitation that disregards the intrinsic merits of the issue is a most undesirable procedure in a democracy. To do that is to stoop to conquer and to make the end justify the means. That is something that the champions of liberty in the world today cannot afford to indulge in. For the essence of popular government depends upon the conviction that issues will be determined by a debate that seeks the truth. And in the long run I cannot believe that any good can come from anything which undermines this conviction.

Mention has been made of the shelterbelt appropriation of \$15,000,000. We are told that the Comptroller General stood in the way of an improper and illegal expenditure of this sum of money for the planting of trees. What are the facts? The facts are that a request came from the Secretary of Agriculture for \$15,000,000 with reference to a shelterbelt project in the West. It was turned down on July 11. The Comptroller General turned it down because, he said, the particular appropriation was not available for that purpose. Then the request was modified and submitted to the Comptroller General who then ruled that Congress had appropriated moneys for the planting of trees and that money was available therefor.

Anything is good to throw up in a quarrel, I grant that. I have always been careful in my service in the House, however, not to cast reflection upon a fellow Member, and I have been in some tough battles since I have been here. I believe you folks will recall the battle we had in connection with the bonus, when the going was rough. I thought the boys were not going to be paid their adjusted service compensation, with a money plan hooked onto it. So I introduced the bill sponsored by the American Legion, paying the certificates out of Treasury funds. If there were ever two Members who fought the whole way, I believe it could be said they were the gentleman from Texas [Mr. PATMAN], and myself. We fought in committee and we fought on the floor of the House. We stood toe to toe and exchanged blows. The motive of neither was impugned, and we came from that fight friends. So I say that when motives are impugned and insinuations are hurled, generally it is because there is either a lack of facts to support their cause or an ignoring of the true facts. I am reminded of the story about the J. P. lawyer who did not have any facts and did not have any law to support his case, so the only thing he could do was go in and raise the devil with the opposing counsel.

It has been stated several times in the debate in the House that this provision subordinates the Comptroller General to the authority of the Attorney General. This clearly is not the case. The authority of the Attorney General to render opinions upon the request of the Comptroller General or the head of any department is limited to the jurisdiction and authority of the Comptroller General. Section 303 by specific language vests in the General Accounting Office "the power to determine the availability of appropriations"; that is, to determine the uses for which appropriations may be expended. Such determinations are not subject to review by the Attorney General. If the General Accounting Office, however, attempts to revise the actions of executive officers acting under authority and discretion vested in them by acts of Congress, the executive officer may appeal to the Attorney General for an opinion

in the case, but the opinion is limited strictly to questions of jurisdiction. The opinions of the Attorney General under this provision are limited to the question, "What officer is vested with authority by the Congress to make the determination?" The decisions of the Comptroller General are not subject to review on the merits of the case, but only on whether he had exceeded his jurisdiction or authority.

This provision is designed to correct one of the principal defects in the existing system. At the present time the Comptroller General determines by his own decisions the jurisdiction and authority of his office. Executive departments and agencies have maintained repeatedly that the Comptroller General has usurped the authority vested in them by Congress. Prior to 1921 the Comptroller of the Treasury followed the practice of joining with department heads in asking the Attorney General for an opinion upon any contested ruling. This gave the departments an appeal whenever they believed that a ruling of the Comptroller of the Treasury was unauthorized. What is provided in this bill is not a general appeal procedure similar to that which prevailed prior to 1921, but only appeals upon questions of jurisdiction. This is to provide a means to settle jurisdictional disputes between the General Accounting Office and the departments, for which at present no provision is made.

To illustrate the type of question which will be raised under the authority of the Attorney General to review the jurisdiction of the General Accounting Office, the following cases may be cited. In these cases the departments have asserted that the Comptroller General exceeded his jurisdiction and encroached upon the authority or discretion vested in the head of the department.

In his reply to the Joint Committee on Organization, the Secretary of State cited the following case in which he claimed that the Comptroller General had encroached upon the authority vested in the President. The appropriations for the Foreign Service have for many years carried a contingent item for "such other miscellaneous expenses as the President may deem necessary." Some years ago the General Accounting Office required that the President issue an Executive order listing the items which would be allowable. The Secretary of State reports:

Notwithstanding this Executive order, the General Accounting Office has in some cases refused to allow expenditures listed therein. Also the necessity for an Executive order each time a new or emergency item comes up which the Secretary of State considers essential, places an unnecessary burden on the President. \* \* \* The obvious intent of Congress to enable a suitable flexibility as shown by the provisions quoted, was effective for that purpose until decisions of the Comptroller General in recent years have restricted the Department and it is no longer able, with any degree of certainty that its action will be approved, to meet unusual and unforeseen items of this character.

One of the cases cited by the Secretary of Agriculture is as follows: Section 10 (e) of the Agricultural Adjustment Act of May 12, 1933, provides that "the action of any officer, employee, or agent in determining the amount of and in making any rental or benefit payment shall not be subject to review by any officer of the Government other than the Secretary of Agriculture or Secretary of the Treasury." Nevertheless, the Comptroller General maintained that it was the duty of his office to review "the sufficiency of the evidence supporting each payment" and required the Agricultural Adjustment Administration to submit to it a copy of every form and contract for benefit payment.

Another case, cited by the Secretary of the Navy, involves the authority of the Secretary to adopt plans and designs submitted by shipbuilding contractors. An act of 1886 provided that—

The Secretary of the Navy shall not contract for the construction or completion of any of said vessels, or of their engines, machinery, or boilers, until drawings and specifications of the same shall have been provided or adopted by him.

The Navy contended that this authorized the Secretary to permit bidders to submit alternative designs, but the Comptroller General held otherwise and ordered the Navy to stop the practice of permitting alternative designs which it had followed for 50 years.



Another case was cited by the United States Employees' Compensation Commission, as follows:

In a decision dated September 23, 1922, the Comptroller General of the United States arrogated to himself the authority to review the findings and decisions of the Commission upon claims arising under the Federal Employees' Compensation Act of September 7, 1916, in respect to questions of both law and fact. This decision of the Comptroller was made notwithstanding the clear provisions of the statute vesting in the Commission final authority to "decide all questions arising under this act." The decision was also made in direct conflict with an opinion of the Attorney General of the United States regarding the finality of the Commission's decisions in such matters. The issue involved in this matter was the authority of the Commission to award compensation for disability or death caused by occupational disease. The Comptroller General, by the narrowest possible construction of the law, held that such awards were not lawful. His views in this respect were forced upon the Commission by his action in denying it the use of any funds appropriated by the Congress for the payment of compensation benefits or funds for administrative expenses.

Congress in a subsequent act on June 5, 1924, authorized awards in cases involving occupational disease and prohibited the Comptroller General from reviewing "the findings of fact in and the decisions of the Commission upon the merits of any claim presented under or authorized by this act, if supported by competent evidence."

Another case involving jurisdiction is cited by the Secretary of the Interior, as follows:

Senate joint resolution approved March 28, 1918 (44 Stat. 499), reads as follows: "That the Assistant to the Secretary of the Interior be, and hereby is, authorized to sign such official papers and documents as the Secretary may direct." Despite this clear and unequivocal language of the statute, the General Accounting Office in 15 Comptroller General 171 (1935), held that the Secretary of the Interior could not delegate to the Assistant to the Secretary the authority to sign orders entitling employees to reimbursement of travel and other expenses involved in a transfer from one official duty station to another.

In the celebrated Philippine Scout case, the Secretary of War, acting on behalf of the President, retired Miguel under a statute authorizing the President to retire enlisted men of the United States Army. The General Accounting Office ruled that—

\* \* \* The retirement of enlisted men of the Philippine Scouts is not authorized even by the remotest implication of the laws.

The case was finally appealed to the United States Supreme Court which held that retirement was clearly authorized, Mr. Justice Sutherland stating in the decision—

\* \* \* Statutory provisions so clear and precise do not require construction. In such cases as this the Court has often held the language is conclusive. "There can be no construction where there is nothing to construe." (*United States v. Shreveport Grain Co.* (287 U. S. 77, 83), and cases cited (*Miguel v. McCarr* (1933), 291 U. S. 442).

Now, in this last case, when people have honest differences as to the authority and the jurisdiction of the Comptroller General's office, do you not think it is well enough to let the chief law officer determine the question of jurisdiction; that is, whether the discretion has been lodged in the Executive, by the act of Congress, or whether it is placed in the Comptroller General.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. FRED M. VINSON. I must conclude.

I now want to hurry on to one further thought. The hearings will disclose that I injected a personal reference relating to my experience on the Appropriations Committee. I told you about that the other day. For 10 or 12 years the thought has been in my mind that Congress ought to know something about where the money is being spent. They ought to have an agency to report to them so that Congress will know how the money is being spent, and then Congress can act by limitation on appropriation bills or in respect of authorization language. Oh, this preaudit stuff that they talk about—"locking the barn door after the horse is stolen." If anything is stolen, it is already stolen and it has been so throughout the years, although I am not, of course, charging theft. I am merely stating that only 3½ percent of the

vouchers are preaudited. Ninety-six and one-half percent are audited after the expenditures, and when it comes to dollars the representatives of the Comptroller General's office say that the preaudited dollars are even a less percentage than 3½ percent of total expenditures.

[Here the gavel fell.]

Mr. BEAM. Mr. Chairman, I yield the gentleman from Kentucky 5 additional minutes.

Mr. FRED M. VINSON. Mr. Chairman, I recognize the insinuation that has been made on the floor. A question was asked me and I was not privileged to answer it at the time. I think I have answered it in a general way, but I want to answer it specifically. I could dodge the question because it related to the "power" in a judge. The power in a judge is the same, whether he is appointed for a term or for life. Ah, nobody can question that. The power to render judgment is the same whether it is for a term or without term. Answering the question, may I say, that upon the bench I will exercise the same independence of thought and the same independence of action I have exercised from the time of my youth, when it was necessary for me to be independent, and necessary for me, on my own, to fight my way through to the education that I desired. I will have the same independence of thought, I will have the same independence of action that I have had on the athletic field, in the courthouse, and in this body. [Applause.] Oh, my friends, no man that knows me will ever say that Fred Vinson is not independent. My weakness has been that I have been too independent. I have heard so from my friends.

In the first place, I come from a country where they breathe independence. I come from a people who have always been independent. My people have never bent the knee. Early in the last century they came across the mountains from Virginia and North Carolina into a new world. Independent spirits were they. English, Irish, Scotch blood runs through my veins; and in those mountains we acquired, because we desired it, more independence; and it is to laugh for anyone to say that I am not independent.

Is it independence to disregard the Brownlow committee report? Is it independence to reach one's conclusion before there was any thought of future consideration in another branch of this Government? Your committee and I have not changed our position in regard to the fundamental correctness of the proposed legislation.

I regret that in the heat of debate insinuation should be made by a man who prefaced his remarks by saying that he was my friend. I do not have any deep feelings toward him. I know his nature, I know his impetuosity, I know his sincerity of purpose. Let me say not for myself but for my children, may God deliver them from that kind of friend!

I present this argument to you for what it is worth, the history of this country, court decisions, the philosophy of our Government, and plain common sense. Let them attack that rather than by insinuation impugn the independence of the men who were charged with the responsibility by the House to prepare and report this legislation.

I want to say in passing that I appreciate the attitude that the House has always had toward me. I appreciate the friendships, whether you agree with me or not. No man ever saw a frown on my face when one of my friends disagreed with me. Every Representative has the right to his opinion, whatever it may be. Let me say to you that when I go I leave the House, including my friends on the left, with regret and with fond affection. I thank you. [Applause.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. MAY].

Mr. MAY. Mr. Chairman, nobody will deny that the executive branch of the Government needs reorganization. Nobody can question the fact that the Democratic Party is for reorganization. We publicly expressed the desire of our party in the platforms of 1932 and 1936. The only difference in our position now and then is that we say now that we want a reorganization for efficiency without any definite promise of economy. In our platform of 1932 we declared

for reorganization such as would bring about economy or a reduction of governmental expenditures by 25 percent. We were definite about it; and I am here today to say to this House that I am for some plan of reorganization of the executive departments of the Government, but I do not agree with the plan that is proposed.

My plan is one that would give to the House of Representatives and to the Senate of the United States control over their own affairs. I have prepared a concurrent resolution embodying my views on the subject, and I propose today to place it in the Record that the Members of the House may read it and understand just what it means. If the motion by the gentleman from New York to strike the enacting clause of the bill is defeated, I shall then offer that resolution as a substitute for the pending bill, and it may be that it will be subject to a point of order as not being germane. There is the point where I shall test the good faith of the Organization Committee—and I do not question their good faith or good intentions—as to whether they are willing for the Congress to keep in its own hands its own affairs and attend to its own business. I am hopeful the committee will not raise the question of germaneness.

There are two reasons why I would like to see such a resolution enacted, and they are these: There is a universal fear in this country in the hearts and minds of more people than were afraid of the Supreme Court proposal last year.

It may be groundless, and so far as the President is concerned, I am sure it is groundless, but nevertheless the feeling exists that we are approaching the day when we may have a dictator in this country. The people are complaining throughout the land that the Congress of the United States has abdicated its constitutional functions to legislate. My resolution is the answer to both of these issues. It will allay the fears of the people and leave the job in the hands of the Congress.

If we are to answer those two things by telling the country that the Congress is going to appoint its own committee, formulate its own plan of reorganization, and put it through to make it effective and reduce governmental expenditures, cut out overlapping and the unnecessary duplication of the activities of the Government, then the Democratic Party will have fulfilled its mission and will have kept its pledge to the American people. That is what I stand for. I do not believe we can set up a new department and achieve the slightest economy. We are just doing the same thing that we have been doing ever since 1932, swearing we will cut out expenses and quit increasing the cost of government, but continuing to set up new agencies.

Mr. Chairman, I am opposed to title II of this bill, which seeks to establish a permanent welfare organization in this country and put relief on a permanent basis and make certain the continuance of many of the activities that were to be merely temporary. My resolution will enable the Congress of the United States to determine whether we are going to erect that wastebasket in which to pitch all of these unnecessary corporations and agencies that we have set up in the last 5 years.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. MAY. Mr. Chairman, may I say, if we undertake to reorganize the executive branch of the Government and tell the people to begin with, first, that we are going to let the President do it, the people will ask, How in the world is the President going to have time to do it? The answer is that the President will do it, if he does it at all, through a committee of his own selection. If it is to be done by a committee, why not let a congressional committee do it? [Applause.]

Mr. Chairman, let us tell the world that the Congress is not impotent. Let us tell the world that the Democrats have sense enough to reorganize this Government. Let us tell the world that the creatures we have by legislation created we can destroy. Unless we do that we confess to the

world we are impotent, incapable, and incompetent. We then plead guilty to the charge of our Republican friends which they made in 1932 to the effect it would not be good to turn the country over to the Democratic Party, because that party never was capable of running the Government. We have run it, and I am not saying we have not made some mistakes. I am willing to confess my mistakes and correct them if I can. The mistake we have made is telling the bureaucrats downtown to do as they please with the departments and set up agencies, bureaus, divisions, and everything else. We want to get them where we can tell them to come to Capitol Hill and ask us something instead of compelling us to go downtown to ask them something. [Applause.]

Let us make at least an honest effort at economy as well as efficiency.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I ask unanimous consent to include at this point in the Record the resolution which I have introduced.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The resolution follows:

*Resolved*, That for the purpose of obtaining information as a basis of legislation and for reorganization of the executive departments and bureaus of the Federal Government, there is hereby created a special congressional committee to be composed of two Senators to be appointed by the President of the Senate and three Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. Said committee shall be known as the Reorganization Committee. A vacancy on the committee shall be filled in the same manner as the original appointments and shall not affect the power of the remaining members to execute the functions incumbent on the committee.

SEC. 2. It shall be the duty of the said committee to diligently inquire into, obtain information from, and determine how and to what extent departments, bureaus, and agencies of the executive department, whether in the form of corporations or otherwise, may be curtailed in personnel or expenditures, and how and to what extent economies in the administration of the executive departments of the Government may be obtained and unnecessary duplications avoided; and said committee may also report upon all of said departments, bureaus, and agencies, either as a whole or in separate reports, relating to any one or more of said executive departments, and may from time to time report to the Congress when in session and, when not in session, to the Clerk of the House of Representatives in writing, which said report, together with the recommendations of said committee, shall be open to public inspection.

SEC. 3. The committee, or any duly authorized subcommittee thereof, is hereby authorized to sit at such times and at such places, in the District of Columbia or elsewhere, as it may deem necessary or proper in the performance of its duties, and during recesses and adjournments of Congress or of either House. It is specifically authorized to require the attendance of witnesses by subpoenas or otherwise; to require the production of books, papers, and documents; and to employ counsel, experts, clerical and other assistants, and to employ stenographers at a cost not to exceed 25 cents per hundred words.

The chairman of said committee or any member of a subcommittee may administer oaths to witnesses and sign subpoenas for witnesses, which shall be served by any person designated by such chairman or member of a subcommittee.

The committee is authorized to have such printing and binding done as may be necessary and to make such expenditures as it deems advisable within the appropriation hereby authorized. Every person duly summoned by such committee or subcommittee who refuses or fails to obey the summons or who fails to answer questions pertinent to the investigation shall be punished as now provided by law in such cases made and provided.

The provisions of sections 102 to 104, inclusive, of the Revised Statutes (relating to information and testimony of witnesses) shall apply with respect to any person who is summoned as a witness under authority of this resolution.

The expenses of such investigation, not exceeding in the aggregate of \$50,000, shall be paid, one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers approved by the chairman of the committee.

The chairman of the committee shall be selected by the committee. All hearings, orders, or decisions held before or made by the committee may be public or executive, as the committee may determine. The committee is authorized to utilize the services, information, facilities, and personnel of any department or agency of the executive branch of the Government in the pursuance of its duties.

Mr. BEAM. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. KELLY].



Mr. KELLY of New York. Mr. Chairman, I will not yield for questions during the brief time allotted to me because it is limited and I want to develop a certain idea. I want to deal with the phase of this reorganization bill which is referred to as "dictatorship." I feel that I have a unique distinction in relation to this matter because I come from a district where this propaganda and this vicious misinformation concerning dictatorship originated, and from which it emanates.

Mr. CHURCH. Will the gentleman yield for a correction?

Mr. KELLY of New York. I said I would not yield.

Mr. CHURCH. It comes from all over the United States. The regular order was demanded.

Mr. KELLY of New York. Mr. Chairman, I come from the city of Rochester, the Thirty-eighth District of New York, which is the home of Frank Gannett, who is now the political dictator of Rochester and the would-be dictator of the United States. I know that sounds like a very strong statement or an overstatement but possibly I can develop the fact it is not an overstatement.

A few years ago the city of Rochester politically enjoyed an ordinary American wholesome political life. Our political campaigns were conducted about the way they are in most other cities of the size of Rochester, which has some 360,000 inhabitants. We had our fights between the Democrats and Republicans, and of course, the devil took the hindmost. Generally the Democrats were the hindmost. But we Democrats were satisfied because we had a lot of fun fighting. Of course, the Republicans won the elections, but we felt that the atmosphere was wholesome and tolerant. There was nothing insidious injected into the campaigns and I must say for the Republicans that they developed a wonderful city and fostered a fair and American political atmosphere.

However, a few years ago there came into the city almost unnoticed a most sinister influence. Our five or six newspapers which used to carry the Democratic arguments and the Republican arguments in a fair American manner were one by one gobbled up by Frank Gannett, so that now we have no other newspapers in the city of Rochester but the Gannett newspapers. This was not enough. Because the Republican leader in our county happened to disagree with Mr. Gannett in the matter of prohibition, Mr. Gannett sought his destruction politically and pursued it with a vindictiveness not worthy of any American in public life since he had the advantage of owning the channels of publicity, and his opponent had not. Obviously, with such an advantage, he succeeded. Then he set himself up as the political dictator of the city of Rochester and the Republican Party in the city of Rochester and Monroe County.

The result is that he has secured control of our city council. He controls our board of supervisors. He controls the only daily newspapers. He owns one radio station and dominates the other. Is it a strong statement, then, to say that he is the political dictator of my city of Rochester? I do not think so.

Mr. Chairman, this does not satisfy Mr. Gannett. His ambition goes farther than that. He now wants to be dictator of the United States.

Mr. KNUTSON. I make the point of order that the gentleman is not speaking on the bill.

The regular order was demanded.

Mr. KNUTSON. We have regular order. We agreed yesterday to speak on the bill. I do not see what this bill has to do with any dictatorship up in Rochester.

Mr. KELLY of New York. If the gentleman will have patience, Mr. Chairman, this statement which I have in hand, I believe, refers very directly to the bill, since this pronouncement by Mr. Gannett is addressed to me about the bill. I feel that before I read any of the excerpts from this letter, judging by the general atmosphere pervading it, I should say "Heil Gannett," and that everyone here should get up and answer, "Heil Gannett." [Applause.]

This is a statement by Frank E. Gannett, chairman of the National Committee to Uphold Constitutional Government,

dated April 4. This organization, by the way, is the successor to the late demented Liberty League. He starts by saying that he "opposes the President on general principle and supported him in his most important fight against opposition in both major political parties." The only answer I can give to that is "phooey." He never supported the President.

Further in this letter is a remark which I believe you will find very interesting. "Congress has been diverted from these pressing problems by a ceaseless stream of half-baked reform bills written by the Corcorans and Cohens." I would say that would just be a casual reference, if I did not know the type of propaganda Mr. Gannett disseminates through his newspapers. I know when he says "Corcorans and Cohens" he is trying to do the same thing he attempted in Rochester last year. He tried to stir up racial hatred, intolerance, and religious prejudice by a campaign in which he picked out three names and his newspapers daily carried stories that the Democratic Party in the city of Rochester was dominated by the Kellys, Kominskys, and Cariolas. His papers made no other charges than that these three bore the names with which they were born. By this he injected a racial question into a political question, something which we have not had in the last 50 years, and which we hope never to have again. [Applause.]

But, to go on further in this letter, Mr. Chairman, he says:

If the people realized how their vital interests are being trifled with and their liberties endangered, they would march en masse on Washington.

This is the chairman of the National Committee to Uphold Constitutional Government who makes this statement:

These half-baked reform bills written by the Corcorans and Cohens.

He is going to repeal those. I suppose he refers to the Social Security and the Railroad Retirement Acts, the farm bill, the establishment of P. W. A., W. P. A., C. C. C., and all such acts which have been passed by this great Congress in the past 5 years.

I will go a little further. He states:

These Warm Springs compromises should mislead no one. They vest the President's appointee with one-man power over civil service, they break down the people's control through their congressional representatives over Government spending; they will leave the Executive unconstitutional power to remodel the Government, regardless of majority opposition, so long as he controls one-third of either House.

My one comment on that is that it is a batch of unmitigated, dastardly falsehoods.

Further, he states:

James Truslow Adams, foremost student of American constitutional government, says the proposed compromises do not change the principles; that with the vast emergency powers the President already holds, further extension of Executive power may be not to reorganize but to revolutionize our Government.

This is James Truslow Adams, a great student, making that statement. A calm, complacent statement such as a great statesman might make, do you not think?

Mr. Gannett further states:

During the first 100 days of his—

Meaning President Roosevelt's—

administration, I vigorously supported him, against opposition in both parties.

As a matter of fact, I do not believe Roosevelt had any opposition during the first 100 days of his administration, so there was nothing unique about Mr. Gannett's position.

The letter continues:

I could no longer support President Roosevelt when, instead of continuing to stimulate private enterprise, he substituted Government spending and centralized planned economy.

In other words, he says he supported Roosevelt until the President started to feed the hungry in this country. He supported him until the President decided to do something about unemployment in this country. But just as soon as it began to touch Mr. Gannett's pocketbook he ran out on the President, as he does on most people.

I believe I have made it perfectly clear what my position in Rochester is as a Representative. I certainly am happy I can stand here, at least, and be in front of a body that will listen to me, and be within the hearing of some of the men who can disseminate information, because I tell you very frankly in my home city I cannot do that. I will repeat it again. Mr. Gannett owns both newspapers—the only newspapers—he owns one radio station and dominates the other; he has control of the city council and he has control of our board of supervisors. In his newspapers every day he spreads this vicious propaganda about dictatorship being in this reorganization bill. This issue, as everyone here knows, has not an iota of foundation. As a matter of fact, if any Members here were convinced the President of the United States has any liking for or any intention to create a dictatorship in this country they would start proceedings against him, because such intent would be one of the most treasonable actions imaginable.

He has conjured up this fear of dictatorship among my constituents, and they have sent me, roughly, 3,500 wires and letters. I want it to be understood that I am not the least bit disturbed about this, because, frankly, I like to get communications from my constituents. I wish they would write me about every single bill that comes up here in the Congress; but I am disturbed about something else, and that is this: The American people feel very strongly about their politics, and the events in Europe during the past 6 or 7 weeks have made the people of the United States feel very strongly about their form of government; and when they read in their daily papers that there is a possibility of a dictatorship, this naturally creates a fear, and the reason it creates a fear is this: The American people, and particularly the people of my district, cannot believe that anybody can go out and create an issue out of whole cloth and spread the fear of a dictatorship without its being well-grounded. This is the dastardly and insidious part of it. The American people cannot believe there are the type of men who create such issues, and yet we have them.

Of course, I am not under any delusions about the step which I am taking in unmasking Mr. Gannett and his propaganda as far as my political future is concerned, but to me there are more important considerations in being a Representative than just being elected again. I would not allow in my district, among the good people whom I represent, the propaganda to go unchallenged that is being disseminated by this organization known as the National Committee to Uphold Constitutional Government, and I want them to know that I, at least, have had the boldness to resent this sort of fear-creating propaganda even though my political future as far as Rochester is concerned may be at stake.

I know what is going to happen. I have no way of getting to talk to my people except to meet them on the street corners, while he has everything, including millions of dollars, the newspapers and wire service, radio and various channels for the dissemination of propaganda always at his command. But with all his power he cannot make me bend the knee. I make the statement in this body that I will challenge Mr. Gannett to debate the issue of dictator in this bill on every street corner in Rochester and at every cross road in my County of Monroe in the State of New York. [Applause.] I do not think he will take me up on it, but I will say this: If he is a man and has political ambition and is sincere, he should. I am his Representative in Congress at the present time. Let him discuss this bill with me publicly and I will show up his propaganda.

I have not felt very strongly about this reorganization bill. I have said in newspapers that I would not vote for the Senate bill, because I disliked some of its provisions, but if this House bill is amended in the way I understand it is going to be amended, I am going to vote for it. I want to vindicate myself in front of the people who have had confidence in me and have elected me to this body. I want to express their confidence in their President and my President, in the face of this barrage of propaganda. I want to keep my pledge to my people that I was going to support the

President's program, and part of that program, very definitely, was reorganization of our Government in the interest of efficiency. I want them to know that while they are restricted to receiving the distorted, biased, and colored views of one man, through their newspapers in the city of Rochester and the county of Monroe, I am going to keep faith with them down here, by giving them the true facts. [Applause.]

[Here the gavel fell.]

Mr. BEAM. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. KELLY of New York. They sent me down here to support reorganization of Government, as well as many other reforms. I know that they will resent this fear-spreading propaganda if they know the facts.

I shall try to show them those facts and the falsity of this campaign of propaganda which is being carried on by Mr. Gannett and his hirelings, the executive secretary of the National Committee to Uphold Constitutional Government, Dr. Edward A. Rumely.

Rumely's record is worth recalling. In 1915 he purchased control of the New York Evening Mail under mysterious circumstances. Subsequently he was convicted of having conspired to defraud the United States by making false statements to the Alien Property Custodian for the purpose of concealing the fact that the money which purchased the Mail came from Dr. Heinrich Albert, fiscal agent for the Imperial German Government.

As between these two men and the President of the United States, I shall know how to represent the interest of my constituents. [Applause.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, it is difficult for me to believe that Mr. Gannett is to be very persuasive in the battle on this bill.

A fox that had lost its tail began preaching immediately about the disadvantages of having one. [Laughter.] The gentleman from Kentucky [Mr. FRED M. VINSON], in a very lengthy, able, judicial interpretation invoking the Constitution and various legal opinions, has tried to lead us to accept the fact that the fox is better off having lost his tail. We still have the Comptroller General, but he has no tail. [Laughter.] We understood that the fox's tail was his proudest possession. When the Comptroller General now approaches the President, who can put him in office and take him out of office as he pleases, I am sure he will approach him with a lack of real independence. "That he would not have been appointed if he did not have independence" was the burden of the gentleman's discourse, was it not? How could he assert independence in the presence of his master?

Do not let us be led astray by any such argument. The Comptroller is to be no longer the agent of the Congress but at the entire disposal of the President and his Attorney General. The bill has lost its entire significance. Our work for a year on this committee is for naught. This bill is now only a symbol in the minds of the people. They are fully aroused and indignant over the thought of our surrender of any further power to the Executive.

We must argue it from that angle. We know most of those who sent telegrams and letters from our districts. We know that they are not trying to purchase our votes. The President says they are. That was an unfortunate word, and he was advised not to use it, but he did so deliberately, and meant it. A strong Democratic newspaper editor writes:

It comes with ill-grace for the President to talk about purchasing votes when the White House lieutenants sought votes by promises of jobs, appropriations, threats of opposing recalcitrant Senators at the polls, and various other devices. These telegrams were sent voluntarily.

Formerly he was the one who could get votes by the radio, was he not?

When the bill goes to conference it will contain but the shadow of what he originally asked; it will be only a husk. Shall we vote the husk only to get it to conference? He



desires even that to show the Nation that he still holds Congress in his power. But the people are demanding of us this day that we prove to them that he does not still dominate the legislative branch.

The assertion that we are trying to destroy the President is ridiculous. He is trying to destroy many of you to his own advantage; of course, you must fully realize that. He demands loyalty to him in spite of the pleadings of your own people. I hardly think he will prevail. You will supinely permit yourselves to be destroyed. Our people now realize the vast powers we gave him to experiment and spend. He has experimented and he has spent billions with ghastly results and direful consequences for the future, which we cannot hardly visualize. The people, knowing that, are aroused, and this bill is the symbol to them of further grants of extraordinary and even dictatorial powers.

Painstakingly the Congress built up these agencies. It took careful deliberation to build them through committees of the Congress. It should take careful and painstaking study by like committees to recommend to us what should be done in the way of reorganization. The Committee has been very liberal about granting time for debate to other Members. I should enjoy an hour really to discuss the bill itself. Nearly the entire membership on this side wishes to speak against it, and they show remarkable understanding of the measure. Evidently there are very few who will talk for it, as everyone in its favor has had plenty of time granted to him to speak as fully as he desired.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. Gladly.

Mr. HEALEY. Would the gentleman vote to give this authority and power to President Hoover?

Mr. GIFFORD. The gentleman must not be so stubborn. We gave the power to Hoover and we took it away from him with one breath.

Mr. HEALEY. Did the gentleman vote to give him that power?

Mr. GIFFORD. I voted to give it to him and I voted to give greater power to Mr. Roosevelt in the emergency period. We voted to give it to Hoover, fully reserving the veto power even by one branch, and it was used with alacrity to shelve his recommendations.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, undoubtedly the best arguments that have been made against the passage of the reorganization bill have been advanced by Democrats, most of whom are loyal and ardent New Dealers. For instance, the gentleman from Virginia [Mr. WOODRUM], than whom there is no more respected Member of this House, is perhaps as well posted on the fiscal situation of the country as any Member of either body and when he tells me, as he told the House on Monday, that the passage of the reorganization bill will saddle upon the American people an additional cost in Government ranging from one billion to three billion dollars per year I, for one, believe him and to me that is as cogent a reason for defeating this legislation as any that has been advanced.

Let us see what may be done under the proposed reorganization measure: The Executive can emasculate and practically destroy the civil service by making its chief absolutely subservient to his will; under the operation of this law the independence of the General Accounting Office, which is the only check that we now have upon the "galloping hounds of waste," would be placed under the thumb of the President and answerable to him rather than to Congress.

It is a motley crew that is supporting this legislation. For instance, Earl Browder, late candidate for President on the communistic ticket, has been calling upon House Members and urging them to vote for the passage of the President's reorganization plan. Can it be that Mr. Browder knows that the passage of this legislation will hasten the day of one-man rule in America, such as they now have in Russia?

What other object can Mr. Browder have? We all know that the Communists do not believe in rule by the people. That has been amply demonstrated in Russia where the purge has superseded the ballot. While I do not believe that Mr. Roosevelt aspires to be dictator I am not going to take a chance by finessing in this instance. This is a time to play trump.

Legend has it that when Rome burned 1,900 years ago Nero sat at a window in the second story of his palace and fiddled while the city burned. That is precisely what the New Dealers are doing today. With between twelve and fourteen million out of work, 4,000,000 of whom have never had a steady job since they graduated from school or college; with factories closed or running only part time; with agricultural and commodity prices daily tumbling; with the stocks and bonds down to 1932 levels; with fear and uncertainty gripping the heart of America such as Eleanor Patterson describes with verity and precision in a leading editorial which appeared on the front page of this morning's Washington Herald when she said:

You said once, with eternal truth, that the only thing to fear is fear itself. Fear is depressing industry. With due respect, you should concede the obvious: This fear is fear of you.

Certainly this is no time to be fiddling with reform legislation, and more especially when it is going to add to our fears and also place upon an already overburdened people an additional expense of from one to three billion dollars per year.

Much has been said about the propaganda that has been sent to Washington by the people back home in protest against this legislation. Let me ask the leaders of the New Deal, "Since when has it become unlawful or reprehensible for the American people to petition Congress?" I thought this right was guaranteed under the Constitution, but that noble document seems to mean little or nothing these days. As for me, I welcome suggestions from those whom I represent and as their Representative in Congress it is my bounden duty to follow their wishes. That I have done in the past and shall continue to do in the future.

Preceding speakers have sought to belittle those Democrats who have in this instance placed country above party. I hail them as true Americans. I am proud to be in the company of such distinguished Jeffersonian Democrats as Chairman HATTON W. SUMNERS, of the Judiciary Committee; JOHN O'CONNOR, chairman of the Rules Committee; Chairman RAMSPECK, of the Civil Service Committee; Mr. LAMNECK, of Ohio; Mr. PETTENGILL, of Indiana; and many other Democrats who refuse to be stooges. I liken them to the Minutemen who fought for human liberty at Lexington and Bunker Hill and laid the foundation for our freedom. This freedom we must not surrender now.

Twenty-one years ago today a somewhat similar drama was enacted in this body. I refer to the resolution which put America into the World War. Then, too, we also had many rubber stamps in the House, who in their zeal to be regular were willing to bend the pregnant hinges of the knee that thrift might follow fawning. They, too, extolled the President and likened him unto Christ and the Twelve Apostles, and I vividly recall the tense scene when that great Democrat and American, Claude Kitchin, of North Carolina, then Democratic leader, took the floor in opposition to the war resolution, and it may not be out of place for me to quote that great Jeffersonian Democrat at this point. He said:

Profoundly impressed with the gravity of the situation, appreciating to the fullest the penalties which a war-mad moment will impose, my conscience and judgment, after mature thought and fervent prayer for rightful guidance, have marked out clearly the path of my duty and I have made up my mind to walk it, if I go barefooted and alone.

Would that we had more Claude Kitchins in the American Congress. There was a man! Today he is a glorious and inspiring memory, while those who then denounced him for refusing to blindly follow the leader are forgotten, unwept, unhonored, and unsung.



## ABOUT BEN ADHIEM (ALMOST)

Abou, the President (may his panic cease!)  
 Awoke one night from a dream without peace,  
 And called the reporters into his room,  
 In the panicky dread of political doom.  
 Each reporter wrote on his paper fold,  
 Exceeding fear had made the President cold.  
 And to the reporters there he said,  
 "What writest thou?" Each reporter raised his head,  
 Then each and all with looks of sweet accord  
 Answered, "The names of those who would be Lord."  
 "And is mine one?" said Abou. "Yea, quite so,"  
 Replied the scribes. Abou spake more low,  
 But cheerily still; and said, "I pray thee, then,  
 Write me as one that loves his fellow men."  
 The writers wrote and vanish. On election night  
 They came again with a great awakening light,  
 And showed the names the public had suppressed,  
 And lo! The President's name led all the rest.

[Applause.]

Mr. STACK. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Yes; I yield for a brief question.

Mr. STACK. Mr. Chairman, I want to ask the distinguished gentleman from Minnesota, who has the courage to stand up here and say "no" when everybody else is saying "yes," if he thinks this type of legislation is needed today?

Mr. KNUTSON. If I thought so, if I had any doubt about it, I would resolve that doubt in favor of this legislation and vote for it.

Mr. STACK. But does the gentleman feel that it is needed?

Mr. KNUTSON. Absolutely no. There is no need for it whatsoever. Let the President exercise the power to reorganize Government bureaus he already has.

Mr. STACK. I call the gentleman's attention to the CONGRESSIONAL RECORD of April 5, beginning on page 4804, where he will find wholesome philosophy on legislation that this Congress should pass and that the country needs, legislation which we could pass if we would get together.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 2 additional minutes to the gentleman from Minnesota.

Mr. KNUTSON. And now I want to ask the gentleman from Pennsylvania a question. The gentleman from Pennsylvania is a fearless, honest legislator. Has he any idea that the passage of this legislation is going to create jobs, reopen any factories, or give the people bread?

Mr. STACK. I have no such idea.

Mr. KNUTSON. I do not think there is a man in this House who is so fatuous as to believe it will.

Mr. WOODRUFF. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. WOODRUFF. Will not the gentleman from Minnesota agree that if this particular bill becomes a law it will provide jobs and that they will all be on the Government pay roll?

Mr. KNUTSON. I very much fear that the enactment of this measure would perpetuate present evils and many students are of the same opinion.

As a matter of fact, the passage of this legislation will create more fear, which will mean more unemployment and more people on relief. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. TAYLOR.]

Mr. TAYLOR of Tennessee. Mr. Chairman, the press carried the story a few days ago that, while recently sojourning amidst the salubrious environment of Warm Springs, Ga., around the murky midnight hour when ghosts walk and graves gape and give up their dead the President of the United States hurriedly summoned the representatives of the fourth estate, in their nightshirts, as it were, and gave them a letter which he had penned to some anonymous person, in other words, a ghost. In this now celebrated epistle, the President advised his imaginary friend that he, the President, had neither desire, disposition, nor aspiration to be a dictator. Manifestly, his purpose in giving out the con-

tents of this alleged letter to his nebulous friend was to combat the feeling that has become widespread throughout the Nation that he is demanding the passage of this reorganization bill, to further his ambition to become a dictator.

Smarting under the publicity which followed the ridiculous Warm Springs episode, the President now denies that it was midnight when he summoned the boys of the press. He says it was 10 o'clock but that it took the press boys 2 hours to dispel the influences of the "sand man" and insert themselves into their pantaloons. [Laughter.]

Now, it came to pass that at the same time the President was sojourning in the land of Warm Springs, his high priest Mr. Harry Hopkins and his stalwart generalissimo, Mr. James Aloysius Farley were dallying in the land of milk and honey, luxury and sunshine way down south in Florida. Of course, there was no reason why these celebrities should not have been enjoying such a vacation. There were only 13,000,000 people in the United States looking for jobs and business and industry were going to the bow-wows only at the rate of a mile a minute. So, on with the dance—let joy be unconfined. We must have our \$100 dinners and Florida vacations regardless of the misery and destitution of the much politically exploited one-third of our population.

Well, while "Gentleman Jim" and "Happy Harry" were basking in the salubrity of that famous southern clime, it is related by the press that one evening they sat at the same table in one of Florida's fashionable hotels when the New Deal high priest called the headwaiter and said, "Do you have many new dealers stopping with you, George?" The headwaiter replied, "Boss, do you want a pleasant answer or the truth?" "We want the truth," echoed "High Priest Harry." "Well, all the new dealers we have down here," opined the headwaiter, aware of the identity of his two distinguished guests, "I could count on the index finger of one hand." "Is that so?" countered Mr. Farley, "We'll have to get after some of these concentrations of wealth." To which the headwaiter shot back "Why don't you get busy on the Roosevelts? They're certainly raking in the dough." [Applause.]

But, Mr. Chairman, recurring to the Warm Springs night-shirt incident. When I read about it me thought to myself here is a capital idea and I decided that I would emulate the example of the Chief Executive, and so I straightway sat down and wrote a ghost letter to a very warm, personal, imaginary friend of mine down in the Second District of Tennessee. I wrote as follows: Dear John (in keeping with the custom of the President I invariably address them by their given names if by any sort of ingenuity such can be ascertained), I am in receipt of your letter of the 4th making inquiry as to the merits of the so-called reorganization bill now pending in the House of Representatives. Replying, I wish to say that this bill has no merit. It is as void of merit as a polecat is of attar of roses, and in saying this I want to apologize to the polecat. [Applause.]

Besides being void of merit, the bill is vicious. In fact, in my opinion, it is the most iniquitous measure that the New Deal has proposed to date. It is even more diabolical than the erstwhile proposition to pack the Supreme Court.

Knowing you as I do, and fully aware of your high sense of patriotism and your anxiety for the preservation of our democratic form of government, I can fully appreciate your deep concern over this proposed revolutionary legislation.

The passage of this "nefarious" bill, as it is now generally denominated, will mean the stripping of Congress of its most vital and important constitutional prerogatives and conferring them upon the Executive. It will mean just another step—yes, another stride—toward dictatorship in the United States.

Only this morning I received a post card which properly characterizes this proposal. Written on the post card is the following:

Some Congressmen may be rubber stamps by choice. Many Congressmen have been rubber stamps in fact. All Congressmen will be rubber stamps by law if the reorganization bill passes.

[Applause.]

To me the paramount issue presented in this bill is, Shall we have one-man government in the United States—call it



dictatorship, fascism, or something else—or shall we continue along the course charted by our forefathers? A rose will smell no sweeter if called by some other name, and a sewer will give forth the same malodor even if given a more euphonious title.

This legislation is unwise, unsound, and un-American.

The fact that the sponsors of this bill are willing to grant any concession which they think is necessary to pass it is to me a confession that they know it is evil legislation. Why exempt the Veterans' Administration except to get votes for the bill? Why eliminate the section relating to education except for the sake of expediency? And before the day is over, in their desperation to pass the bill, I expect them to agree to exempt the Civil Service Commission. I am sure they will if they conclude that this is necessary to pass this baneful legislation.

Now, if it were sound and proper to include these items in the bill in the first instance, it is still sound and proper; and to agree to withdraw them now clearly shows a lack of sincerity on the part of the protagonists of this measure.

This bill will wreck absolutely the general accounting machinery of the Government, which during the past 15 years has saved the taxpayers of this Nation untold millions. When we place in the hands of the person appointed by the President and subject to removal at the whim of the President the spending of the taxpayers' money, God only knows what the result will be. It is now costing us \$1,000,000,000 a year to pay the interest alone on what we owe. And yet only a short time ago the total running expenses of the Government were less than a billion dollars a year.

It is admitted that this bill will not effect one penny's saving; that it will not contribute one iota to the solution of our economic problem; that it will not put one single, solitary man or woman to work. On the contrary, Representative WOODRUM, of the Appropriations Committee, a recognized expert on Federal fiscal affairs, estimates that the enactment of this bill will increase the cost of government from one billion to three billion dollars per year.

With this sad picture before us, I cannot understand how any Congressman can support this unsound and fantastic piece of legislation.

There appeared in the Washington Herald this morning an open letter to the President by Miss Eleanor Patterson, publisher of that paper. Miss Patterson's family owns the New York News, one of the oldest and most substantial newspapers in the country, which has been a vigorous advocate of the President's policies. The Herald, to date, has not been unfriendly to the New Deal. The logic of what Miss Patterson says in her open letter in the Herald is so patent and uncontrovertible that I am concluding my letter to you by quoting it, as follows:

DEAR MR. PRESIDENT: They tell me that on several recent occasions, when some visitor has been nagging you about what you should say to put business back on its feet in this country, you have retorted:

"All right. You go ahead. Write out exactly what you think I could say that would banish fear. I'll dare you."

Mr. President, if you had dared me, this would be my answer:

You said once, with eternal truth, that the only thing to fear is fear itself. Fear is depressing industry. With due respect, you should concede the obvious: This fear is fear of you.

It is fear of shifting policies; of a hostile attitude toward legitimate business; of insistence on discredited tax methods and other laws which prevent the earning and retaining of fair and honest profits.

It is fear that if you work out a constructive plan you won't stay put. It is fear that if a plan of yours is proved bad you will stick to it stubbornly because you are unwilling to admit that, like all the rest of us, you make mistakes.

Mr. President, you can eliminate this basic cause of the depression very simply. You command an instant audience of the whole Nation. Through a message to Congress or some other vehicle you should address yourself at once and convincingly to remove the fear that keeps applicants for loans away from banks full of money and prevents us from turning into profits the greatest store of natural resources and industrial ingenuity in the world.

You should inform the American people that, proud—as you should be proud—of the great moral and social advances which have been made under your leadership, you are willing now to consolidate these and attempt no more until your Cabinet, your

congressional leaders, and you agree that the Nation can foot the bill.

You should announce that your only effort will be to raise the national income, without devaluation or other artifices, to that ninety or one hundred billions annually which you set as the goal. You should explain that, in order to do this, you and your administrative circle will refrain from favoritism toward any economic groups, disturbing speeches, sudden and new proposals to Congress, and attacks on groups and individuals who happen to disagree with or criticize you. You should set a high example by clearing your mind of private hates.

You should make it clear that we shan't fight any more over who is to share the annual income of ninety or one hundred billions, and to what degree, until you have given all of us a chance to raise it to that figure. This we can do.

You should let administrative silence "like a poultice come to heal the blows of sound," and permit industry to go to work in an atmosphere of peace and security.

If you will do this, Mr. President, explicitly, generously, candidly; make no effort to keep Congress in session longer than is absolutely necessary, and reduce your blacklist to real, intentional enemies of the common welfare, you will be astounded to witness the curative effect of this single thing.

Other details are important, of course. The details of your new plan to underwrite loans to all kinds of business. The details of your aid to the railroads. The details of the enduring armistice you should sign with the utilities so that they can refinance and stimulate the heavy industries.

But the chief thing is to eliminate fear and thus restore confidence. You alone can do that. But you must do it thoroughly, forsaking hate and vanity, and resuming that patience with which you so nobly and courageously conquered an illness that would have broken the spirit of most of us.

You have been a great leader and a great man. You can be again.  
ELEANOR PATTERSON.

[Applause.]

MR. BEAM. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. CURLEY].

MR. CURLEY. Mr. Chairman, my purpose in entering into this debate at the present time is to keep a solemn pledge which I made to my constituents in the fall of 1936. As a Democrat, I consider that pledge to my people back home as sacred as the oath I took in the well of this House when I assumed office on January 3, 1936.

I recall the words uttered by our great President, Franklin Delano Roosevelt, in his inaugural address, in which he stated that "all we need fear is fear." I am reminded of what that great French author and writer, Andre Maurois, said about fear and panic. He said that—

Panic is the result of blind imitation of others. It comes when the critical sense falls, and it returns when logic, displacing imitation, returns to govern the human conduct and actions of men.

Mr. Chairman, back in the adolescent days of the present century Hon. Alfred E. Smith, then Governor of the State of New York, reorganized the 118 existing agencies of the Empire State into 18. No one called him a dictator for performing such a constructive, statesmanlike operation on a cumbersome governmental administrative branch of the State government, and it has functioned very efficiently, economically, and prudently ever since. Now, when President Roosevelt attempts to carry out the same purpose in the National Government, he is called a dictator by his enemies.

#### THE PUBLIC CONVINCED ROOSEVELT RIGHT

The people throughout the Nation have given unmistakable evidence of complete confidence in our great President, Franklin D. Roosevelt, and his New Deal in our National Government. Over 22,000,000 of American voters placed the destinies of a very sick nation in President Roosevelt's hands in 1932. Twenty-seven million voters did the same thing in 1936, and I was one of those voters each time. He did not let the people down then, did he? No; he did not! Nor will he let the people down now. Watch future developments for the proof. Out of the maze of unbridled criticism we have proven our case in the light of reason, common sense, and concrete evidence. President Roosevelt has demonstrated that "the tongue of the prudent and wise useth knowledge aright; but the mouths of fools poureth forth foolishness."

It might be well to take note of the result of a Nation-wide poll which the American Institute of Public Opinion, under supervision of Dr. Gallup, conducted in March 1936, the accuracy of whose polls have been tested repeatedly and commands public respect. The question submitted was whether

the classified civil service should be extended to all except the highest-paid positions. The result of this Nation-wide poll was 88 percent vote in favor of extending the civil service.

The paramount thoughts in the minds of the intelligent citizens of our great American Nation today cannot be swayed by insincere critics who are always opposed to any New Deal legislation, much less the reorganization bill, and who engage in a mudslinging spree by pillorying our great President with an avalanche of personal abuse. The Nation aims to guarantee and protect human as well as property rights now and for the future, and these rights have been crystallized into a real American Government of real American people, by real American people, and for real American people, by a real American Executive of a great liberty-loving Nation of free people.

YOU CANNOT SELL MANUFACTURED HYSTERIA WHEN REASON PREVAILS

Nor can the high-powered salesmen create widespread fear of any kind of a scarecrow in the form of a dictatorship should the reorganization bill now under discussion by Congress pass—and it will pass. When the banks were closing in every city, town, and village in 1932 and 1933 you did not hear Roosevelt called dictator, did you, when he closed all their doors and rescued what was left of the savings of thousands of those now worrying about dictatorship? You never heard him called dictator when Roosevelt saved a million home owners, did you? Oh, no! But many are being misled now by false propaganda that this bill will make him a dictator. We need have no fear on that score. Neither was he called a dictator when he saved the railroads—nor agriculture. He was a financial lifesaver then.

It is the opinion of a great many, whose considered judgment on this bill I have sought, that the primary purpose of a rational reorganization of the administrative agencies of the executive branch of our National Government is to reduce to a manageable degree those now existing. The Constitution of the United States sets up no administrative organization for the Government. This bill will tend to modify that situation. [Applause.]

Mr. MARTIN of Massachusetts. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Chairman, it is unfortunate that the Congress has been compelled to devote so much time during the last few weeks to so-called reform measures. We might better have been devoting our time to an understanding of the business and economic situation with a view to relief for 11,000,000 of our people who are without employment, and who are ill-fed, ill-clad, and ill-housed.

We have before us for consideration a so-called reform measure which has aroused the American people more than any one issue during the 7 years I have been a Member of Congress. The extent to which our people have been aroused is reflected in the number of telegrams and letters which have been received in opposition to giving the President the power to reorganize the executive departments. In comparison, when the holding-company bill was pending before the Congress I received less than 50 telegrams and letters from my district with respect to that bill. When the Court bill was being considered last year I received from my district less than 100 telegrams and letters, either in opposition or in favor of the reorganization of the judiciary. As an example of the extent of the interest in this bill, may I say for the Record that I have received from my district over 1,500 telegrams and almost as many letters in condemnation of a reorganization bill in any form at this time.

I have always considered myself to be the spokesman and the mouthpiece of the people whom I represent. I have always been of the opinion that when I ceased to bespeak the wishes of the majority of the people of my district I would be then contributing to the disintegration of representative Government. These letters and telegrams have been helpful, and have strengthened me in my determination to prevent any further delegation of legislative powers and prerogatives to the President. As was understood by those who sent them to me, I had taken a very firm stand

against reorganization in the form in which it is provided in this bill at the time the bill was being debated in the Senate and before it had reached the House for consideration.

Mr. Chairman, reorganization of the executive departments is purely a legislative function. The Constitution of the United States provides that the President shall make only such appointments to offices in the executive branch as are established by law. The legislative function, of course, contemplates the enactment of laws, so no department of the executive branch should be eliminated or consolidated with any other department unless it be by authorization contained in a law duly enacted by the Congress of the United States.

The Constitution places a duty on the President in this respect. Section 3, article II, of the Constitution provides that—  
He—

Referring to the President—

shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient \* \* \*

The President, therefore, has the duty, as well as the authority, under this section of the Constitution to recommend to the Congress specific reorganization proposals. Because of the interest of the people in the reorganization of the executive departments and because of this flood of protest against reorganization in the manner provided in this bill, I believe the President should recommend the withdrawal of this bill, which, if enacted, will delegate to him almost unlimited power in connection with the reorganization of the executive departments, and withhold any proposals in these respects until the next regular session of the Congress, when in accordance with the duty, the authority, or prerogatives given him by the Constitution, he should make specific recommendations concerning the elimination or consolidation of existing departments and the creation of new bureaus with a view to doing away with overlapping functions and increasing the efficiency of the executive establishment. Then the Congress of the United States may take up his specific recommendations one by one and adopt or reject them in accordance with the spirit of the Constitution.

It is unfortunate that during this debate we have been told that we should vote for or against this bill as a vote of confidence in or against the individual who at the present time happens to be occupying the White House.

It was said by the gentleman from Texas [Mr. MAVERICK] during this debate, that they, the Republicans, want to break the prestige of Roosevelt and the Democratic Party. For the purpose of the argument I admit the Republicans in this House have largely been against the policies of the present administration, and I admit that probably a majority of the Republicans have so voiced themselves and voted on New Deal policies. However, if we were more concerned with the destruction of Franklin D. Roosevelt or the Democratic Party than in the preservation of a republican democracy the Republicans in the House would be unanimously for this bill because there is nothing which will so break the prestige of Franklin D. Roosevelt and the Democratic Party as the passage of this bill. The cold politics of it is that if the Republicans were more interested in the success of their party at the polls this fall and in 1940 than in the perpetuation of constitutional government the Republicans would be universally for this bill. We believe that the welfare of this country and the preservation of a republican democracy is paramount to Republican Party success. For that reason and for that reason alone we are forgetting our political prejudices, we are putting our desire to defeat Franklin D. Roosevelt and the Democratic Party behind us momentarily, and we are going to be magnanimous, and are going to vote against this bill even though in doing so we will contribute to an increase in the prestige of the Democratic Party. Many of you Democrats are as much concerned with the preservation of a republican democracy as we are in defeating this iniquitous and pernicious measure, and realize that by defeating this bill you will prevent the undoing of not only the indi-



vidual in the White House but your party as well. You know, as the Republicans have so long realized, that the great mistake the Democratic Party has made during the last 5 years is to build the party around one individual, so as the popularity of that individual declines the popularity of your party declines. It is with a great deal of sincerity and in the hope that your party will still remain one of the large parties and a check upon the zeal and enthusiasm of the Republican Party, when and as it comes back into power, that we are voting as we are today. [Applause.]

[Here the gavel fell.]

Mr. BEAM. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. BIGELOW].

Mr. BIGELOW. Mr. Chairman, I do not expect any applause from the Democratic side this afternoon, and I hope I shall not be embarrassed by any applause from the Republican side.

From the days of Charles Dickens, and before, government has been the great circumlocution office. Of late we have been spawning bureaus that slop over into each other. The poor old ship of state can hardly move for the barnacles. About all the Presidents have proposed to do something about it. Just of late a very courageous effort was made, and the product of this effort we have before us in the reorganization bill.

#### WHY THE EXCITEMENT?

I do not associate myself with the detractors of our President, neither do I find anything sinister in this legislation. I believe the committee has acted in good faith and has tried to perform a public service, and here is the legislation, but to the surprise of everybody this legislation has encountered a perfect hurricane of opposition. It will be said that this opposition has been stirred up by people with malice in their hearts toward the President, inspired by radio speeches. I have received in my office 3,000 letters and telegrams against this bill, and I believe a bare dozen requests for its support. I know some of the people who have written and wired me, and after examining the appearance of the letters that have come into my office I am satisfied that from my district there has been none of that sort of thing that is referred to as organized propaganda. Certainly this demonstration, this protest, has come up from the common, the plain people of my district.

#### BAD CASE OF NERVES

I asked myself the cause of this hurricane of opposition. I cannot believe that radio addresses could have produced any such storm as this. It is a psychological phenomenon that I have tried to analyze, and I have come to the conclusion that, more than we in this Congress have realized, the beastly butcheries and the march of the dictators in Europe have finally struck terror to the American heart.

We are in the grip of a great fear. These fears have been touched off by radio addresses, perhaps, but the fears were here and are here. In view of this unhappy state of mind, this suspicion, this fear, even though I cannot find the sinister things in this legislation that others seem to find, I feel that out of deference to what I believe to be a very much worried public opinion in my district I must vote "no" on this bill. [Applause.]

#### FIRST THINGS FIRST

There is another reason. It does seem to me this House is acting a good deal like the old woman who was told her house was on fire. She said yes, she knew it, but she could not do anything about it just then because it was time for her to go feed the chickens. Our house is on fire. We have in this country a condition more desperate and more perilous than we in this Congress have realized. I believe the people back home more fully realize it than we do. It does seem to me that in bothering so much about a piece of legislation like this, which certainly cannot be claimed as important or greatly needed at this particular time, we are sort of dolling up the furniture in our house while the house is burning. I believe the best thing that could happen to the state of mind of the American people at this time would be to lay this bill on the table, and then say, although of

course this would have to be said by the President of the United States, that instead of any more legislation of this kind we are going to try to put out this fire in our house. I feel I have no right to be in this Congress drawing my salary without making it my first duty to do everything possible to give jobs to the 12,000,000 or 14,000,000 people out of work in this country. [Applause.]

#### HEROIC ACTION NEEDED

I believe some very unusual thing must be done by the President and by our party, and I hope with the cooperation of most of the Republicans, too. I fear that the Reconstruction Finance Corporation legislation put through here will not work fast enough. I believe some billions of money must be poured in, and that right soon, with an honest effort to give jobs to everybody that needs them in the United States.

I do not believe we should borrow money and pay interest to the bankers for it. The President for some years now has had the power to issue three billions of money, but this power is only to buy Government bonds with the money. Today I put in the box a little amendment to that bill making this power available so he may use it to grant loans to States and political subdivisions of States, without interest, for any kind of public work that will put men on jobs doing useful things.

Do we want to go back home—how will we feel going back home facing these millions out of work? How will they feel and how will we feel when we have to say to them, "No; we did not get you jobs, but here is a nice reorganization bill." [Laughter.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. LAMBERTSON].

Mr. LAMBERTSON. Mr. Chairman, I think probably the fewer speeches that come from the minority the better off will be our cause.

Perhaps we regard each other as too strictly partisan. Let me give a little of my background in that respect. While opposing the major measures in this Congress I have not done that in the previous Congresses. I have been opposed in my last two primaries because I voted for too many things that Mr. Roosevelt wanted, and my post-office patronage was taken away from me in the last year of the Hoover administration by Walter Brown because I had voted against the Hawley-Smoot tariff bill. So I have not such a yellow dog, partisan background as some of you might imagine. This is what has impressed me in connection with the consideration of this bill. It was what our colleague LANHAM said, and that is that any reorganization ought to have as its major purpose economy and reduction of bureaus, and since this bill does not emphasize either, or when there is an argument for the creation of more things than it eliminates, I believe it ought to be opposed until such time as economy or reduction of bureaus is the essence of it.

This administration has done some good things, and this President has some things in his favor, but I think you Democrats, as well as the Republicans, will agree with me that you cannot say this administration has any record for economy. No; it has not stood for economy, and anything that creates a reorganization ought to have for its background economy. This is the thing LANHAM emphasized, and this is the thing that has appealed to me from the first with regard to this bill.

Secondly, one-third of the bureaus we have down here have been created under this administration. About one-third of the bureaucracy we have in Washington has come within the last 5 years. Granting this, is it not natural to suppose that the President that created these babies will not destroy them? He will destroy something that was created before he came here, maybe, but he will destroy last of all his own children; and, above everything, a lot of these new agencies ought to be consolidated or destroyed if there is going to be a real reorganization.

Therefore, it is not natural and it is not human for Franklin D. Roosevelt to destroy the bureaucracy that he has created. If he had been sincere about all this, why did he

not, as he created these bureaus one by one, put them into a department that already existed? He could have done this. He could have said to the H. O. L. C., "You go here," and to the F. E. R. A., "You go there," and so on. He could have put them where they belonged at the right time. Of course, the reason for this was that they were clothed with civil service, and he did not want them to start with civil service, probably, and there was a lot of politics in it because every one that was created carried partisan jobs. I think sometimes, in all fairness, there was too much emphasis on the jobs that were created by these things that were going to do the people so much good; and my second point is that, naturally and humanly, the man who started one-third of these jobs is not going to destroy them in a reorganization program.

So he is not the man to do it; it has got to be somebody who comes after him.

The cry "dictatorship" is in the air and they rise on this side and try to laugh it off. We heard him here on the 5th of February a year ago lay before Congress—he did not recommend—he laid before Congress the new Court proposal, a bill all prepared, and that is right when I began to change. I had been pretty sympathetic with Franklin Roosevelt to that time, but after that last election I began to change. I think it has a bad psychological effect, as I said before, for any President to carry 46 States. It is terrible. It makes him think that he can do anything and that he has a right to do anything.

Then he followed with the wage and hour bill, which had as its essence a political board of five men, not only to fix minimum wages for the subnormal but to fix wages and control industry as well as labor. That is what the original Black-Connery bill had in it.

Mr. STACK. Mr. Chairman, will the gentleman yield?

Mr. LAMBERTSON. Briefly.

Mr. STACK. Does the distinguished gentleman from Kansas think that he could carry 46 States on this issue?

Mr. LAMBERTSON. Oh, no; none. Without any doubt, he could not carry any of them.

The wage and hour bill had this trend of dictatorship in it. Then came the reorganization bill, emphasized a year ago, and we have it before us today. In the meantime we have passed the farm bill, which gave a lot of power to his Secretary of Agriculture to regiment a great section of the people of this country. I voted for the first A. A. A., but I did not for this last one; and I do not think the farmers of America are for the last one, either. The first was an emergency measure, but the last one was a permanent farm policy.

The President asked the power to veto items in appropriation bills. We had the Woodrum resolution. The Senate committee took it out after the House had passed it. He wanted the power to veto items even after Congress had adjourned. A terrible thing to think that he asked for power to veto items. And then in the big Navy message he asked for this power that has been given to him by the Military Affairs Committee in time of war. He asked for that right in the middle of the Navy message. The committee has brought it out, but they do not dare bring it to the floor. Just a little more of this same stuff.

The President said as he walked out of this Chamber in January, after delivering the annual message: "That is not asking them, that is telling them, isn't it, boys?" Or something like that, it was reported in the newspapers; and when he was here he said in his message on the wage and hour question: "That is putting it definitely before you." The President of the United States is supposed to recommend to us, he is not supposed to come into the House of Representatives and say to the House and the Senate: "This is definitely before you;" yet that is what he said on the wage and hour bill this January.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. LAMBERTSON. I yield.

Mr. KNUTSON. I think my friend, the gentleman from Kansas, will admit that the President is in a much more chastened frame of mind than he was a year or two ago.

Mr. LAMBERTSON. There have been other things. There was the pressure from the White House that defeated the Ludlow resolution. And there was dismissal of the T. V. A. Chairman. So, when you talk about dictatorship today, it is not an iridescent dream. It is real. And it has come through the last 14 months in a dozen different ways. I have mentioned just some of them. We were called into special session last fall to pass emergency measures. One of the emergency measures was the reorganization bill, the other emergency measure was the wage and hour bill. Neither were emergencies but they gave more power to the Executive. And they thought that the appearance of emergency might help to pass them.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. LAMBERTSON. Briefly.

Mr. GIFFORD. I would like to ask the gentleman, to help him, who was it who said, "I want it said of my first administration that they met their match. I want it said of my second administration that they met their master"?

Mr. LAMBERTSON. We all know who said it; and we know who said they were going to drive the money changers from the temple, too, and a few other things. So there are lots of things that are not emergencies any more, yet he tried to drive us into passing them on the plea of emergency. They all contained power for the Chief Executive; and that is what has gone clear through this country and spread so much fear. It is culminating in this bill.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. LAMBERTSON. I yield.

Mr. SCOTT. I would ask the distinguished gentleman from Kansas if it is his feeling that the President of the United States is attempting now to set himself up as a dictator over this country?

Mr. LAMBERTSON. Without any question, but not consciously; purposely, but not consciously.

Mr. SCOTT. Mr. Chairman, will the gentleman yield further?

Mr. LAMBERTSON. Yes.

Mr. SCOTT. Would not the gentleman feel conclusively that if that were the case he is guilty of malfeasance in office?

Mr. LAMBERTSON. I would not charge a President with such a thing. We never make such charges against the President.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 2 additional minutes to the gentleman from Kansas.

Mr. LAMBERTSON. The thing that impressed me above everything else in this debate is what our colleague RAMSPECK said the other day about the civil service. There is a young man who came into this House the same time I did, 9 years ago; and we went on Labor together. He became chairman of the Committee on the Civil Service. He is one of the most influential men on the Committee on Labor. You know he is conscientious, you know he is sincere, you know he is intelligent, you know that he knows the civil service.

He is bitterly opposed to this part of the bill. What he said on the floor impressed me a great deal. He said, "As a young man I came to the House post office 27 years ago. All down through these years I have heard them say, 'Stand by the President,' yet the men who are left in Congress today, of those who were here in 1911, are the men who have had the courage and the conviction to do what they thought was right. We cannot disregard the public opinion of the country." No finer thing has been said on the floor of this House. You may think you rode in on the coattail of somebody, but you are not going to stay here on the coattail of that somebody unless you exercise your own judgment. That is what the gentleman from Georgia [Mr. RAMSPECK] told you, and that is the thing that impressed me greatly.

I do not think I have influenced any Member by what I said. I do not think I have changed a vote, but may I say my attitude toward the administration changed because it went continually to the concentration of power in the Chief Executive and toward unlimited spending. It also assumed



a dictatorial attitude. The country has not progressed under this attitude. We are in danger. The country is nervous under this evidence of more power sought in the White House. I think we ought to defeat this bill and postpone reorganization until some man comes to the White House who went with his parents in a covered wagon to create a home; someone who has had to work for a living, like Lincoln, who knows what a grocery bill is, who knows what a mortgage is, who knows what thrift is—then, and not till then, should we give this power to a President to reorganize the Government.

[Here the gavel fell.]

Mr. BEAM. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. GRAY].

Mr. GRAY of Pennsylvania. Mr. Chairman, there has been a disposition on the part of the managers having charge of this bill in the House to charge lack of faith in the Democratic party to those who very evidently oppose the measure. There have been pleas for regularity. Those who are opposed to this bill have been charged with trying to ruin the President. It has been alleged that they have been influenced by propaganda of a hateful and malicious character. I think I could utter one brief sentence and possibly it would be more effective than what I can say in 10 minutes: "Eternal vigilance is the price of liberty."

Mr. Chairman, we have created instruments of power which in the hands of political puppets would shackle the liberties of the people. It is not so long since the President of the United States uttered that sentence from the rostrum of this House.

Thomas Jefferson once said that every man should be an enemy of government. He did not mean that every man should be an anarchist; he did not mean that every man should be a rebel, but he did mean that government has a tendency to encroach upon, gobble up the individual, and eat the people out of their substance. If for no other reason than to allay the fears of the people of this country at the present time, the managers of this bill should withdraw it from consideration now.

In lieu of that, I would suggest that the distinguished gentleman from Missouri, the chairman of the Select Committee on Organization of the House, gather this bill into his hands, that the Sergeant at Arms fall in line back of him with his symbol of authority, that the membership on both sides of the aisle also fall in line, the procession to be ended by the distinguished Speaker of the House, its greatest dignitary, that the line proceed to the front of the Capitol and there to the solemn and funereal tones of taps reduce this bill to ashes as a burnt offering of propitiation to the God of our Fathers. [Applause.]

When has any Democratic national platform proposed such legislation as this? On the other hand, from 1856 to and including 1932, every Democratic platform has declared against bureaucratic government as well as for the strict preservation of the rights of the States as against ever-increasing centralization of Federal power and authority.

Our rights to be called Democrats has been challenged by some on this Democratic side of the aisle, and our quantity of democracy has been figured out in percentages and we have been measured down to fractions in our support of administration measures.

All my life have I been a Democrat. I can never recall having voted any other national ticket. My forbears were that, and the great upheaval of the Civil War did not change their adherence to that party. Therefore, I will not remain speechless when challenged by the supporters of this measure. I will measure my democracy against theirs and my loyalty to the principles of the party against any other man's.

Mr. Chairman, may I say just a word about propaganda? I hope in my time to be able to read some letters into the Record that will demonstrate to some of the unbelieving or obstinate Democrats who are in favor of this bill that it is not malicious propaganda.

The other day the distinguished and admirable gentleman who presides over this Committee, the gentleman from Massachusetts [Mr. McCORMACK], when the stage was all set,

when the galleries were full and the membership present in its entirety, left the rostrum and came down to the well of the House and made a magnificent and very brilliant speech. He brought into play his great ability as an orator, his eloquence, and he spoke with fire and force and with dynamite in every word. The gentleman from Massachusetts rung the chimes in the belfries of the heavens with his speech against intolerance, and he had us lifted to the greatest heights of anticipation and expectation of an enthralling climax. But the gentleman from Massachusetts, I am sorry to say, in the very next breath and all unexpectedly delivered himself of a most intolerant declaration. He said the opposition to this bill was founded in malice and in hatred.

Mr. McCORMACK. Will the gentleman yield?

Mr. GRAY of Pennsylvania. I yield to the eloquent gentleman from Massachusetts.

Mr. McCORMACK. I know the gentleman wants to be fair. Does the gentleman believe he quotes me correctly? I said that a small but powerful financial group was conducting this campaign of hatred against the bill. If the gentleman will read my speech I am sure the gentleman will come to a realization that I never said every person who was opposed to this bill was actuated by malice, but it was a small but powerful financial group that was conducting a campaign of hatred against the bill.

Mr. GRAY of Pennsylvania. The gentleman is correct, and if I said that he made the statement that everybody who opposed it did so on the basis of hatred and malice, then I stand corrected.

I do mean to say that the gentleman laid emphasis on the fact that the propaganda was due to malice and hatred. The distinguished gentleman from Missouri [Mr. COCHRAN] read a telegram from Archbishop Mooney of Detroit, in which there was a great suppositional if so-and-so, then this bill would not be detrimental to certain interests. Yesterday the gentleman from Massachusetts read a piece from the Boston Herald, I believe, or some paper in his State, purporting to quote that high dignitary, which contained an entirely different view from the telegram or the message read by the distinguished gentleman from Missouri.

Mr. Chairman, with all due respect to the sentiments of the archbishop of the diocese of Detroit, may I quote a few sentences from a gentleman in Washington, Dr. Edmund A. Walsh, S. J., vice president of Georgetown University, a man who is on the ground here and more likely to be more thoroughly informed. I am sure both the gentlemen from Missouri and Massachusetts will get the significance of the letters "S. J." It means, Mr. Chairman, a member of that society which for the last 400 years has fertilized the soil of every land and every clime with the blood of martyrdom in an effort to Christianize and civilize the people of the world.

The most heroic annals in the history of the Western Hemisphere are the story of their untellable sufferings and agonies, their dauntless courage and constancy, their tortures and martyrdoms of blood with one simple hope and effort of trying to civilize and Christianize the Indians of North America, some of the most savage men in all recorded history. I am sure, I repeat, my friends realize the full import of that designation. Dr. Walsh has a different view. He is not so assured of the effect of this bill, if the quotation in this paper is correct. This is part of his statement:

Dr. Walsh warned that "complete paralysis" in the American democracy will come when the people "abdicate their sovereign rights of free speech, of petition, and of assembly. It will be further advanced," he warned, "when they fail to recognize the import of a certain proposal, now in preparation, to tighten Federal control over the means of publicity and communication, notably the radio. That carefully contrived project will, I suspect, appear shortly. Private institutions of charity, social welfare, philanthropy, education, and local initiative will surely experience the dangers and the challenge attaching to a new Cabinet officer with jurisdiction prescribed under the broad title of public welfare."

I am one of those who since January 1937 have had some fear, and I am not so easily scared. But when the Supreme Court packing bill came down and when the misshapen original reorganization bill followed almost immediately, and when there followed the heptarchy of the seven little sisters

that was going to divide the country into seven provinces with seven provincial governors, I came to the conclusion that perhaps there was something to fear, and I propose to act on the adage that "eternal vigilance is the price of liberty."

The other day the gentleman from New York [Mr. MEAD] in all his power and eloquence—and I am a good friend of his and I hope he is of mine—ribbed the conservatives. He seemed to take the position that the conservatives, after linking them with reactionaries, were people whose minds were set in concrete and were impervious to a new idea. I may say to the gentleman from New York that the conservatives are the salt of the earth. The conservatives are the very foundation and substance of human life on this globe.

Every helpful force in Nature is a conservative force. The attraction of the planets, the heat of the sun, the light of the stars and moon, the falling of the rains, and the growing of the crops are all conservative forces. It is only when the forces of Nature become liberal that we have the hurricane, the flood, the destructive waves of the ocean, the violent convulsions of the earthquake, and the disastrous eruption of the volcano. That is when natural forces get their names in the newspapers—when they turn liberal and radical. It is the same with the human mind. The human mind in conservatism is the fount of all real progress.

Every worth while political reform in English history since the days of Magna Carta has been a conservative reform. When, in 1215 A. D., Archbishop Langton led the men who wrested from the unwilling hands of King John that document of our basic liberties—Magna Carta—they were only getting guaranties that their ancient rights would be violated no more. The Petition of Rights and the Bill of Rights were conservative reforms. The Declaration of Independence was a proclamation against the usurpations on age-old, moss-grown legal rights. It was purely conservative. The Constitution of the United States was a conservative charter. All the charters of liberty and guaranties of the rights of individuals were efforts to regain what had once been, but had been lost by the encroachments of servile parliaments and autocratic governors.

It is only when the mind becomes liberal that we get destructionism. That is when people get their names in the public view. Who was the first liberal and who was the first radical? Lucifer, the Prince of Fallen Angels. He was not satisfied with a great position in Heaven, he wanted to be like unto God, and filled full of pride and arrogance; he was not satisfied with sitting next to the throne of God, the Creator, he wanted, creature that he was, to dominate his Creator. He demanded a liberal construction of the laws of the universe, so he was cast into hell, and the Prince of Light, the Prince of Morning, who rebelled against the Creator, became the Prince of Evil.

Mr. Chairman, that unhappy incident need not be taken in a religious sense if one prefers not to so take it. But every man, whether he likes to or not, must take it as a practical everyday application to the affairs of life. At the least, the incident represents the principle of good in opposition to evil. It makes clear the difference, the antagonism, the everlasting conflict between conservation and disintegration.

[Here the gavel fell.]

Mr. TABER. I yield 5 additional minutes to the gentleman from Pennsylvania, Mr. Chairman.

Mr. GRAY of Pennsylvania. Mr. Chairman, about this propaganda that is conceived in malice and hate, I have a letter from the pastor of a Lutheran Church in my district, and I will venture that he was not very greatly influenced by the radio broadcaster who has been mentioned here. This letter is addressed to me under date of March 31, and reads as follows:

DEAR MR. GRAY: MRS. ——— and I would appreciate your influence and vote against the reorganization bill now pending in the House of Representatives.

Thanking you for the consideration you may give to this request, I am,

Very truly yours,

Does that sound like a hymn of hate? Is that inspired by the alleged malice of the radio broadcaster? How much direct influence do you suppose the radio broadcaster had on that gentleman? He may have had some, but it was not a compelling influence.

I have another letter from a Methodist Episcopal pastor in my district, who states,

As one of the citizens of the Congressional District which you represent I wish to express my emphatic opposition to the reorganization bill of the President, which is now up for passage. My reason for opposing this measure is that I believe it tends too markedly toward overcentralization of authority in the executive department of the Government.

Is that letter the result of propaganda, and actuated by hate and malice?

I have another letter from a good southern Democrat who is now in the North and has been for some years. He is the pastor of a Presbyterian Church of my district. This is what he states:

DEAR CONGRESSMAN: I write you to express my utmost protest against the iniquitous reorganization bill that was passed yesterday by the Senate and which I understand is to soon come back to the House. I urge you to use your vote and all your influence to kill this bill as much as is in your power.

I believe you were one who voted against the Supreme Court packing plan of last year, and I extend to you my belated thanks for same.

I voted for Roosevelt before, but wouldn't vote for him again if he were running for dog catcher. I have lost all faith in him and am disgusted that he has brought the Democratic Party into disrepute.

This gentleman is a Democrat, born and bred in the South, but now living in the North. Do not tell me, do not try to tell me, that these men of God are all full of wrath and cabbage and consumed by the fumes of hate.

I have another letter from a friend of mine. These letters are a cross section of the correspondence that is coming to my office in great volume. Listen to this one, you obdurate Democrats:

I assume that you recognize the Government reorganization bill as a vicious measure, which will give the President power tantamount to that of a dictatorship.

Mr. BRADLEY. Mr. Chairman, will the gentleman yield? Mr. GRAY of Pennsylvania. Not just now.

But just the same, as one of your constituents, I want to be sure that my protest against the bill is definitely expressed to you.

If you could be in ——— today and talk with people in the street, in the shops, in the offices, in the hotels, out at the college, or anywhere else—

Mr. BRADLEY. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN (Mr. WOODRUM). Does the gentleman from Pennsylvania yield for a parliamentary inquiry?

Mr. GRAY of Pennsylvania. I do not yield, Mr. Chairman.

Mr. BRADLEY. Mr. Chairman, I make the point of order that the gentleman is reading communications and unless he is willing to give the name and address of the senders of them, I make a point of order against the reading of them.

The CHAIRMAN. The Chair understands the rule to be that the gentleman has to obtain unanimous consent if he wishes to read any documents.

Mr. GRAY of Pennsylvania. Mr. Chairman, all during the debate on this bill telegrams and letters have been read into the RECORD. I trust my colleague from Pennsylvania [Mr. BRADLEY] is not so afraid of his position on this bill as to insist on his point of order and preclude enlightenment.

The CHAIRMAN. That was without objection or a point of order having been made against the reading of such documents.

Mr. BOILEAU. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. BOILEAU. Cannot the gentleman read communications with the permission of the House and, if so, I would move that the gentleman be given permission to read the communications.

The CHAIRMAN. The gentleman from Wisconsin is correct.



The gentleman from Wisconsin moves that the gentleman from Pennsylvania have permission to read the documents referred to.

The question was taken, and the motion was agreed to.

Mr. GRAY of Pennsylvania. I extend my thanks and appreciation to the gentleman from Wisconsin for his alertness and kindness and to this House for its fairness.

Mr. STACK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Pennsylvania yield for a parliamentary inquiry?

Mr. GRAY of Pennsylvania. I yield briefly.

Mr. STACK. I wonder if there is any way the distinguished gentleman from Virginia could find out if the noise back here is spread in malice?

The CHAIRMAN. The Chair will try to maintain order.

Mr. GRAY of Pennsylvania. The letter continues:

I think you would be amazed to find out how absolutely panic stricken the average man and woman is over the trend which legislation has taken, particularly since the vote on the reorganization bill yesterday.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. GRAY of Pennsylvania. I read further:

They are absolutely frightened, Mr. GRAY. I have talked with a lot of people in this town, Democrats and Republicans alike. They are deeply concerned about this measure and what it can lead us into. I was glad to vote for you and glad to make a number of speeches in your behalf when you were running, because I liked your style and had confidence in you, and, of course, I prefer to believe that under no circumstances would you vote for such a measure as the Government reorganization bill as at present constituted. I am aware that it has some good points, but the sweeping powers delegated to the President far transcend all of that. A lot of people right here in — are depending on you to help block this measure.

This is the way the people are thinking about this bill. This is the sentiment or the fear that possesses them at this time.

And here is another letter from an upstanding Democratic friend of mine:

DEAR CONGRESSMAN: As you know, I have always been a Democrat. I worked for Mr. Roosevelt both times that he ran for the Presidency. I have always been one of your principal supporters. For several years now I have been worried. The action of the Senate on the reorganization bill has stirred me very deeply. People to whom I talk are beginning to wonder if President Roosevelt really wants prosperity to return or whether there is a plan to keep the country in turmoil, unrest, and disorder so that they will get disgusted and in their troubles demand or accept a dictator. You know I have a political job, but I feel that I earned that job. I do not want to lose it but I am about to say good-bye to Mr. Roosevelt and the rest of you as a bunch of bunglers. I hope you do not take this letter as a personal affront.

The last great effort that was made to reorganize the Government of the United States, since the episodes of Aaron Burr, was in 1861. That violent reorganization "push" three-quarters of a century ago had certain marks of respectability. It was founded on what many people regarded as their constitutional rights and privileges. It was openly declared. The participants announced their intentions publicly and plainly. They went to war and tried to maintain their argument at the point of the bayonet; they resorted to arms to sustain what they considered a just and legal cause. They did not sneak up to the back door of the Capitol in the dead hours of the night and attempt to burglarize the Government by theft of the Constitution from its sanctuary.

Now we have had the third great effort to reorganize the Government. The more or less anemic bill we have before us carries the odor of its ancestry with it. It still smells of the tainted gale of tyranny. This House of Representatives has the opportunity of a century to restore peace to the troubled minds of the people by defeating it once and finally.

Yes; propaganda—"stand by the President." Mr. Chairman, I belong to an organization that has a sworn obligation. I am letting you in on a great secret when I say I am bound by an oath. I belong to the organization that meets in this House the first day of every Congress, when Members put up their hands to God Almighty and take a solemn oath to

support and defend the Constitution of the United States against all enemies, foreign and domestic; that they will bear true faith and allegiance to the same; that they take the oath freely without any mental reservation or purpose of evasion. I do not see anything in that oath that says that I am sworn to support the Democratic Party first, or anything that says that I am sworn to support the President of the United States in preference to the cause of my country and the rights and liberties of our people. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. WOODRUFF].

Mr. WOODRUFF. Mr. Chairman, seldom in the history of the United States has there been such a brazen attempt on the part of an administration to lash through the Congress a major measure before the citizens could have time to register their disapproval of it as has been the case in the Government reorganization bill now pending before the House.

A companion bill to the iniquitous Court-packing proposal, this reorganization bill has been shrouded in mystery from the day it was sent up to the Capitol by Mr. Roosevelt.

It was not accorded public hearings before regular committees of the House and the Senate, but was concealed behind secret hearings until it was brought before the legislative body.

Containing in its original form provisions which would have made the President the all-powerful head of a one-man government, despite his strange and surprising midnight message declaring that he does not hanker for dictatorial power, the measure still contains the provisions which would thrust upon him the very powers which he now declares he does not want, but which he insists must remain in the bill.

The battle over this exceedingly grave and fundamental measure has again brought to the surface the conditions which exist under this administration. The powers of patronage, punishment, and persuasion were carried to such extreme lengths by the administration in forcing the bill through the Senate by a narrow margin that veterans of the Senate declare that it exceeded anything they have ever witnessed in their experience in Washington.

One Senator—a Democrat, at that—exclaimed that "so many logs have been rolled on the Senate floor on this measure that it will take Paul Bunyan and his famous ox to clear them away."

Apparently chagrined by the narrow margin of his victory in the Senate, Mr. Roosevelt saw fit to offer a gratuitous insult to every Member of the Senate who dared to oppose the measure by saying that the Senate had demonstrated that it could not be "purchased" by organized letters and telegrams. Mr. Roosevelt, however, did not say anything about the other side of the story, including relief, W. P. A., and pet projects. His use of the word "purchased" in this connection had an unfortunate and singular connotation. Not only did Mr. Roosevelt insult those Senators who have opposed him on other measures by his statement but he insulted such loyal friends and supporters as Senator ROBERT F. WAGNER, of New York, and others who opposed him for the first time. Not only did Mr. Roosevelt insult the Members of the Senate but he insulted such organizations as the American Federation of Labor, the National Grange, and numerous other organizations and individuals—thousands of them—who dared to exercise their constitutional right of petition to their Congress.

Not content with this, and apparently fearing the rapidly mounting volume of protests was endangering this measure, which clothes Mr. Roosevelt with those powers which he declares he does not want, the Chief Executive did an unprecedented and strange thing. Down in the State of Georgia he caused the press correspondents to be awakened from their sleep at 1 o'clock in the morning to give them a copy of a letter he had written to some unnamed friend in which he declared that he does not want to be a dictator, that he does not possess the qualities to be a successful dictator, and that his knowledge of the historical background of dictatorships even further disinclined him to attempt the role.



Although Mr. Roosevelt apparently believed the necessity of his utterance was so great that it could not possibly wait until morning, he did not think it sufficiently important to disclose to the newspaper correspondents the name of the friend to whom the letter was addressed. There is much speculation both among newspaper correspondents and Members of Congress as to what friend of Mr. Roosevelt was the recipient of this momentous declaration. We do not know whether this friend had expressed fears that Mr. Roosevelt might be harboring dictatorial ambitions, but we do know that Mr. Roosevelt's strange midnight letter was meant for one of two purposes: Either he was recognizing the widespread fear throughout this country that we are rapidly drifting into a dictatorship under a political autocracy, or else it was designed to enable his House leaders to stampede the measure through that body before the rising tide of popular indignation and protest could have time to register with the House Members. In either case it was a most unprecedented, not to say weird, performance for a President of the United States.

Mr. Roosevelt declared in his letter that he was asking no more in the reorganization bill than "seven or eight of my predecessors in the Presidency." In this statement the President was wholly in error. Not a single one of his predecessors ever has proposed to the Congress any measure comparable in its grant of dictatorial powers to the Chief Executive that Mr. Roosevelt's bill did.

Should this bill pass the House, the citizens of the United States still have a chance to defeat this iniquitous measure. If the bill should pass the House, it must go to conference, and the conference report must go back to both the Senate and the House for adoption or rejection. If the citizens will continue to send their protests to Congress, there is an excellent opportunity for the bill to be defeated and thus give the Congress time to work out a reorganization bill which would provide for economy instead of increase of governmental expenditures, and at the same time eliminate the dangerous provisions contained in the present measure.

Mr. Roosevelt had for more than a year and a half after he took office all the powers necessary to properly reorganize the governmental bureaus, but those powers apparently did not satisfy him. In addition to that, Mr. Roosevelt has had, ever since the original powers were given him, full authority to abolish, consolidate, reorganize, or in any other way change the 40 or 50 bureaus set up under the New Deal, which power he has not seen fit to exercise.

In view of these facts, it becomes difficult to understand why Mr. Roosevelt insists upon the inclusion in the pending measure of a grant to him of the very sort of power and authority which he so earnestly desires not to have, that he found it necessary to awaken the press correspondents at 1 o'clock in the morning to tell the country so.

Mr. COCHRAN. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. STACK. Mr. Chairman, I make a point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and fifteen Members are present, a quorum.

The gentleman from Texas is recognized for 15 minutes.

Mr. SUMNERS of Texas. Mr. Chairman, I appear this afternoon with a good deal of hesitancy, because I am not as familiar with the details of this bill as I ought to be when I ask you to consider the observations which I am about to make.

I believe that each Member of the Congress and most of the citizens of the United States are conscious of the fact that we are in responsibility in one of the most critical, possibly one of the most tragic periods in the history of all time. I have been interested, and I have been heartened by the change of attitude of Members of Congress in the last 2 years, and by the changing sentiment in the country. I am certain that there are more Members of Congress in this House today who are perfectly willing to sacrifice their seats, who are willing to become political casualties for the sake of what they believe, than in any

period at least in the last decade. The Members of this House assembled here this afternoon are conscious of the fact that they are in responsibility in a great age. Those of us who are familiar with the history of our country, who have read the stories of the period of the Revolution when great issues confronted the people, wished perhaps when we were children that we had lived in that age. We did not realize then that we ourselves were to live in an age equally great and in some respects greater. When we came to this Congress not many of us perhaps appreciated the fact that we would sit here in the council of the Nation when the issues of the perpetuity and of security of our country would be involved. I have heard a good many Members in discussing the history of this proposed legislation mention the fact that a short time ago we passed with little opposition two bills dealing with reorganization.

In my judgment, this bill a few years ago could have passed with not very much discussion. Why this change? The why of this change, as I see it, is one of the most important things in the whole situation. This, I believe, is the explanation at least in part. When this administration came to governmental responsibility it did so when this country confronted the possibility of economic collapse. We witnessed a recurrence then of one of the most fascinating phenomenon to be observed in the long history of Anglo-Saxon governments. We are going to find out something about governments in the next few years that we have not known before. We are going to learn that while government is the agent of the people, the people are the agents of government and have to do its work. There are instincts of governmental self-preservation. Government is just as much an entity provided for in the great economy as you, a human being, is an entity. We are going to have to learn, and learn pretty soon, those of us who try to operate the complex machinery of modern government, that there are great natural laws which govern governments, which limit human discretion, and determine sound governmental policy. When this administration went into governmental responsibility the people instinctively consented to the concentration of emergency power in the executive department to deal with an emergency situation. If we, the Anglo-Saxon peoples, had not developed that instinct we would today be operating this Government under a dictator of the ordinary sort, because we confronted a condition that required a quicker pick-up and a stronger power than Anglo-Saxon institutions functioning in the ordinary way are capable of giving. So we concentrated these emergency powers to deal with an emergency situation, retaining the power lodged in the legislative branch of the Government to control the exercise of those powers if necessary.

The explanation of this phenomenon, this change in attitude, that people have been wondering about recently is to be found in the fact that just as Anglo-Saxon peoples instinctively concentrate powers of this sort to deal with an emergency situation, instinctively likewise after a while they begin to move in the other direction; we are in the presence of that movement now. Let nobody misunderstand it.

If it were not for the fact that we instinctively move in the other direction after a while, just as a child being carried after a while has the natural urge to be put on its own feet that its muscles may have exercise, we would cease to be able to operate our system of popular government. There is nothing so destructive of power as its non-use. It is no reflection upon anybody to say that during the past several years we have not had in the ordinary sense of responsibility of an independent legislature. That is not due to the person who happened to be in the White House, or to the persons who happened to be in Congress; it would have been true regardless of what individuals had been there or what party had been in power confronting that situation. The fact that throughout the length and breadth of this country now there is an instinctive urge to turn in the other direction is not due to the individual in the White House, not due to the party in power; it would have happened under any other administration. Now that we



are under the influence of that urge, in the grip of that movement, we face what is to many of us at least a new responsibility. We face that responsibility today. We face it with reference to this pending bill.

Nobody who can sense the public attitude who can read the signs of the times can fail to know that the country is not satisfied with the existing distribution of governmental power. That is not a reflection upon the President. It indicates to him that the time is ripe for him to begin the latter part and the more important part of the great job which fortune has given him the opportunity to perform. I know there is propaganda. I know there are partisan politics involved. But there is something more than that. I want to see the President rank as the outstanding statesman of this age. Not for his glory, but for the security of the institutions of my Government and the happiness of my people.

This assignment of the offices of this Government, the reestablishment of the normal functioning of Anglo-Saxon institutions, is the biggest thing that has happened in this country in many days. As Members of Congress we must not approach our part of this job with an antagonistic attitude, with the attitude indicating that we feel the President is unwilling to cooperate. No President could fail to be gratified by the signs of this awakening of the American people. [Applause.] Just as one would be glad to see a child struggling to exercise its muscles so that it may grow stronger and stand on its own feet.

I hope that what I am saying will not be construed as a criticism of the administration or an attack upon anybody. Right here may I say a thing that I think is of importance. The difficulty now is that the country is so tense, the lines of cleavage are drawn so tightly, it is almost impossible to discuss the most fundamental and disassociated thing without somebody trying to pick out something that is said and turn it toward the administration, either in support of or in criticism of the administration. We have to get over that. I realize we have been under great strain, but we have a lot of rough country in front of us. We are in no condition to stand an interdepartmental feud. I want to help the President. I know he has to tackle this new job. We must all help him. We must help each other. We must get ourselves in the attitude that we can take these fundamental things, examine them, agree with reference to them, and use them as a standard to test the official conduct of individuals and the policies of political parties. We have got to do that. [Applause.]

There is no natural conflict in this situation between the legislative branch and the executive branch. The contrary is true. There is no use trying to disguise the fact that the present occupant of the White House is going to be there for two and a half years longer. In some sort of way the legislative branch and the executive branch have got to get on a basis and stay on a basis which will enable them cooperatively to do the work of this Government. The President will make mistakes. We will make mistakes. As the Congress moves into responsibility as the policy-fixing agency of the Government, strained relationships will tend to develop. While we are making this change, while we are under the influence of this great backsweep of the American people, operating under the most normal sort of urge, for redistribution of governmental powers, we are going to have to watch our step. This bill puts us to the test.

Nothing would hearten this country more than for the legislative branch of the Government, anxious to cooperate with the President, anxious to do its duty, anxious properly to represent the people of this country, to demonstrate its capacity to take a proposed governmental proposition, examine it solely on its merits, and determine the matter by its best judgment. [Applause.] Nobody who loves this country can look upon a great legislative branch of this Government, sitting here under the dome of the Capitol, conscious of its responsibility to the American people, courageously and with the best judgment that God Almighty gives them, seeking to discharge their independent respon-

sibility, I repeat, no man who loves this country can look upon that spectacle and not thank God for such a body. That is exactly the sort of body which the perils of these times, the hope of these times, and the possibility of these times challenge us to be. [Applause.]

Mr. Chairman, mark my words, before we get through with our job, with the problems of these times, the President of the United States is going to need all the contribution which the greatest Congress that ever assembled under the dome of this Capitol can give him. That is what we must try to be. We are not through with this thing. I will tell you another thing. We are going to find out before we get through with this business that we have got to have the greatest generation of people we have ever had, the most dependable, the most responsible. That is why we must move back to them some of these governmental responsibilities concentrated here. I repeat, we are not through with this. These difficulties, Mr. Chairman, as certainly as you sit here, these difficulties have come through the goodness of God Almighty to make a soft people strong in muscle and courageous in heart. [Applause.]

I am taking advantage of the interest in the pending bill both here and in the country to attract your attention to the relatively new factor which we must consider.

As I see it, much will depend upon how capably we demonstrate in the initial tests we are able to proceed in the discharge of a larger share of governmental responsibility which has come to us here temporarily on the back sweep of this current of public attitude. I am not addressing myself only to Democrats. Republicans have had a sort of field day during the consideration of this bill, and I do not blame them.

But we are all in the same boat when it comes to the real test. When great public interests are measured, though divided along the lines of party cleavage as we are, I can say for the House of Representatives that when we are convinced that the Nation's interest is at stake, never have I seen the House of Representatives fail, regardless of party cleavage, to stand for a common country. [Applause.] We are going to have to do that in the days immediately ahead of us.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. SUMNERS of Texas. Mr. Chairman, we face the necessity soon of making an important procedural decision with regard to the pending bill. It is suggested by the distinguished gentleman from New York that we do not attempt to make of this bill by amendment a bill which possibly might meet the approval of the House of Representatives. He will move to strike out the enacting clause. In my humble opinion, that would be a mistaken thing to do, and I will tell you why. I believe it is important at this time, when attention is centered upon the House, that this House let the country know it is not afraid of itself and that it is able to formulate legislation in accordance with its own judgment and is master of its responsibility. [Applause.]

The country is uneasy. Whether justifiably so or not is not so important as the fact. The fact is tremendously important. The country would be heartened if they believed that there sat in the House of Representatives a group of men and women who believed in their capacity to formulate legislation in accordance with their judgment and in the best interests of the country.

We have passed two bills dealing with reorganization. I do not believe we can afford to be in the attitude of even remotely appearing that we are trying to do something to the President of the United States. I hope I will not be offensive to anybody when I say I believe we have to have a different attitude toward the country, and the country has to have a different attitude toward us than would be possible if we should create that impression. This whole matter is largely psychological. We are not trying to do something to the President of the United States, and we are not trying to embarrass anybody. We are trying to write legislation on a

subject that is regarded as important. I want you to think about this before the time to vote comes.

Suppose we strike out the enacting clause. That will end the matter. But is it the right sort of ending for this legislation? If, when we get through attempting to amend this bill, we do not like it, we can then vote against it. This House is not going to pass this bill in its present shape. Everybody knows that. If it cannot be satisfactorily amended, it will be defeated. [Applause.]

I do not want to take any more of your time now, but I feel that it would be a mistake not to consider this bill, not to do the best we can to amend it, and if we cannot amend it as we believe it ought to be amended, then have the nerve to beat it on the floor of the House. At least, I felt I should make these observations for your consideration. I consider this the first real test under this new dispensation of responsibility which I have discussed.

Mr. GAVAGAN. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from New York.

Mr. GAVAGAN. Would not the parliamentary situation be such that the motion to strike out the enacting clause would be directed against the Senate bill and not the bill recommended by the House committee?

Mr. SUMNERS of Texas. I cannot speak with certainty as to the parliamentary situation.

Mr. GAVAGAN. I can assure the gentleman that would be the parliamentary situation.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Texas.

Mr. RAYBURN. I believe everybody in the House will understand the issue. If the enacting clause of this bill is stricken out, and there is just one enacting clause and it is in the Senate bill, that is the end of it. There would not be anything left to amend.

Mr. O'CONNOR of New York. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from New York.

Mr. O'CONNOR of New York. I do not want to go into the question of whether or not anybody here ever voted against the consideration of any bill, but if I know anything, I know the country wants no bill whatsoever. The expeditious way to deal with the matter is not to consider it further, which is accomplished by voting out the enacting clause and not wasting any more time on amendments which, while they may be adopted here, may be entirely changed in conference.

As a humble person, let me now predict that even if a bill were passed here, amended as it would be in many respects, there just never is going to be a law on reorganization in this Congress, not after conference and not after action in another body, so we are just flailing the windmills when we might be doing something much more important.

Mr. SUMNERS of Texas. I am afraid I did not understand the gentleman. I am not sure he made himself clear to the House. I yield in order to ask the gentleman a question. Did I correctly understand the gentleman to say that unless we do strike out the enacting clause there will not be legislation with reference to reorganization?

Mr. O'CONNOR of New York. No; I say there will not be any legislation in any event, in my humble judgment, because if you pass the point of refusing to strike out the enacting clause this bill will be so amended it will not be agreeable to the conferees, it will not be agreeable to the other body, and it will not be agreeable to the Executive, so there just is not going to be any bill.

Mr. SUMNERS of Texas. May I suggest to my friend, would he be terribly unhappy if that tragedy should happen?

Mr. O'CONNOR of New York. No; and I know the American people would be very happy. The gentleman sounded the keynote when he said there was nothing that would so restore the confidence of the American people as proper action by Congress on this measure. You can restore the

confidence of the American people better by defeating this bill than by any pronouncement from another end of the Avenue. Defeating this bill would be a great tonic, which this country requires and has looked forward to for a long time. [Applause.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, I ask unanimous consent to revise and extend in the RECORD not only the remarks I am about to make but the remarks I made earlier today.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

THEY NEED NOT FEAR THE VOTER—THEY WALK WITH THE PRESIDENT—  
THERE IS A DICTATOR IN MICHIGAN

Mr. HOFFMAN. Mr. Chairman, on Friday, April 1, the majority leader, with a sob in his voice, made his usual heart-breaking plea to the majority Members, begging them to rally around their leader. That sort of a talk undoubtedly was more effective than would be a logical argument as to the merits of this bill.

Concluding, the gentleman, referring to the President, said—RECORD, page 4616:

I am going to walk with him, if I must walk alone.

Under the circumstances, I cannot conceive of the majority leader walking alone. When he supports this measure, he is walking with the President of the United States, the gentleman who, during the past 4 years has controlled the purse-strings, directed the spending, in one instance of \$4,880,000,000; in another, of over \$3,000,000,000—in all of something like \$18,000,000,000.

Arm in arm with the President of the United States the majority leader walks down the primrose path, not alone, but with the man who has the spending of fabulous sums; the man who can dispense favors to millions of people.

Many who are politically ambitious, who desire favors for their State or district, would be glad to walk, not alone, but side by side with the President.

No, the gentleman is not walking alone, because down that same road which he and the President are so joyfully strolling travels the Secretary of the Interior, the man who controls the P. W. A. jobs; the man who determines whether a public building will go in your district or in mine; whether a dam shall be built here, or there, or elsewhere.

Alone? No, the majority leader, the President, and the Secretary of the Interior are not traveling alone, for with them goes Harry Hopkins, the greatest spender of all time—the man who has something to say about the W. P. A.; the man who has as his clients not thousands or hundreds of thousands, but millions—millions who look to him and to those who travel the road with him for their daily bread, for the checks which bring them relief; the man with almost unlimited funds and hundreds of thousands of jobs at his disposal.

And so the number of those with whom the majority leader walks might be continued, but mention of the above is sufficient to show that he, coming from a district and a State overwhelmingly Democratic, where he has, one might say, no political opposition, walks not alone but with an army at his back.

Shed no tears over the plight of the majority leader as he walks with the President, but you who come from districts where the people are aware of the situation, where the people are thinking, where they vote their political convictions, where they are one day Republican, the next Democratic, and the third independent, listen and consider the demands which they make upon you. Listen not only because you are their Representative, but because you may perhaps best serve your President by listening to those who have the power to accept or reject his policies.

The gentleman from Kentucky [Mr. FRED M. VINSON], explaining this bill, assumed the manner of a special pleader and, from that standpoint, did a very good job, for he cast into the minds of some of those who were opposed to the



bill doubts as to whether or not their convictions were justified. He was very adroit and, by his very adroitness, quite confusing. We should not forget, however, that he spoke as a special pleader, not as a judge.

The gentleman from North Carolina [Mr. WARREN] is something of a fisherman. He knows the various baits that it is necessary to use to take the bluefish, the channel bass, and many others of those denizens of the deep which live in the waters off the shores of his home State.

Skillful as a fisherman, equally skillful is he in the catching of votes, and on the morning after—by a vote of 191 to 149—the House refused to close debate, he very cleverly announced—RECORD, page 4622—that he was authorized by the committee to state that it was the purpose, when the bill reached the amendment stage, to offer two amendments.

Those Members who swallow these two baits will find themselves, when this bill returns from conference, very neatly and quite painfully hanging on the hook of the original Senate bill. Their explanations to their constituents that the bill had been so amended as to be harmless may be met with some show of doubt.

The gentleman spoke the morning that the President, at 1 a. m., had called the reporters out in their shirttails to announce that he did not desire to be a dictator.

I have no recollection that anyone had asked him to be a dictator. If the people have—and they seem to have—the idea that he desires to be a dictator, they must have acquired that belief from what he has said and from what he has done during the past 5 years. The belief seems to be widespread, and as, until the last few months, no one has had the temerity to very vigorously criticize the President or his acts, there must be some reason for their fear.

As I listened to the gentleman in his very deliberate and dramatic way quote the President as saying that he had no desire to be a dictator, I could but wonder whether the gentleman conceived himself to be a second Mark Antony.

You all recall how, in his oration, speaking of Caesar's ambition, he said:

You all did see that on the Lupercal I thrice presented him a kingly crown, which he did thrice refuse. Was this ambition?

It is regrettable that the gentleman from North Carolina [Mr. WARREN] did not pursue the topic and advise us who had presented the dictatorship to the President, which the President that morning refused.

In stating he did not desire to be a dictator, what did the President have in mind? Naught else but the powers conferred by this bill—the powers of which the people of the country have been thinking.

The President has long been lauded as an adroit politician. Realizing, as he probably did, that the people feared that if this bill went through a dictatorship would be established, in the middle of the night he calls the gentlemen of the press from their beds to assure the public, through them, that he would not be a dictator.

If this reorganization bill passes, will the President again feel called upon to, having once refused, himself again refuse? Does he expect a second and a third offer? The insistence of the gentleman from North Carolina that this bill do now pass would seem to indicate that the second and the third offer are to be made.

Then the gentleman from Massachusetts [Mr. McCORMACK] took the floor and he deplored what he described as—RECORD, page 4623—"the vicious campaign of hate, destruction and vilification that is going on throughout this country," and he expressed the very beautiful thought that no one should preach hate, no one should attribute malice to another; that all should have the kindest of feeling and charity for the views of the other Members of the House. With that doctrine we all agree.

However, we have but to turn to page 4624 of the RECORD where his address is printed and we find him charging that there are those who desire to destroy, "through trying to deceive the people and engender fear and bitterness, if not hatred, in their minds, toward the President of the United States."

Both the gentleman from Massachusetts [Mr. McCORMACK] and the gentleman from North Carolina [Mr. WARREN] criticize freely those who oppose their views, the latter gentleman saying that "the one who is directing this propaganda is a sweet-scented rosebud of unsavory reputation."

Is it permissible to say that the criticism of the President which is now made is like a gentle breeze from the Southland, sweeping over the blossoming cloverfields, as compared to the smear-Hoover campaign, which smells something like a hurricane from a sewage rendering plant.

#### THE PEOPLE ARE AFRAID

Well might we consider the facts as they exist. Thousands of individual citizens have written their representatives on tablet paper, printed letterheads, loose sheets; some with typewriter, some with pen and ink, some with pencil, and each of us knows in his own mind that these protests—the large majority, at least—come from the hearts of his constituents.

Why this fight on the reorganization bill? Because the people of the country are afraid. It does not make any difference for practical purposes what they are afraid of or why they are afraid. The undisputed fact is they are afraid, and in my humble judgment there is reason for their fear.

We are all familiar with the various acts which have granted the President additional powers. We know that now he has almost unlimited power over the spending of public funds.

We know that we have come to be regarded by the people—and deservedly so—as rubber-stamp Congressmen. On March 4 one of the New Deal Democratic Congressmen told us that this Congress was but a door mat, and advised us to recover our self-respect if we could.

#### SEARCH AND SEIZURE

In city after city the private offices of citizens have been entered, their files have been ransacked, their papers have been seized, and they themselves have been called to Washington, placed upon the witness stand, and their private business disclosed to a curious public by overbearing examiners who employ the tactics of a police court lawyer—this under the name of protecting civil liberties.

#### MEN ARE IDLE

Again, throughout the length and breadth of this land the machinery in factories stands idle. Smokestacks give no sign of activity. From other towns and cities business concerns have been forced to move, to seek a more favorable locality. Some have closed their doors forever and those formerly employed therein have lost their jobs.

Children, women, and men in cities are hungry, many without proper shelter, all because of the acts of the President in giving his support to John L. Lewis and the C. I. O. in their acts of dictatorship.

#### A DICTATOR IN MICHIGAN

A dictator? How, unless it was under the authority of some dictator, did armed men come into the State of Michigan and take possession during January, February, and March of 1937 and hold our factories to ransom? Why was it that last week the C. I. O. marched into the offices of the Consumers Power Co. in Michigan and what was said and who was the dictator? Albert Stonkus was the dictator on that occasion and he announced, and that was gracious on his part, was it not, that the 2,000,000 people who depended on electric current, for light and for power, from the Consumers Power Co., would not have their power cut off until Monday. He would not do this before Monday. Is that the statement of a dictator or is it not?

You know why the people are afraid. Why are the people in Michigan afraid? Because they have seen these men who act wholly without authority of law, who act by force—not once, not twice, but dozens of times, yes, a hundred times or more in my State—take possession of a factory and hold it until at least some of their demands are granted.

Afraid? The people are afraid because, throughout the country, with the support of President Roosevelt, John L. Lewis, backed by his C. I. O. and the President's Labor Board, has established himself as a dictator over labor and

industry. He closes factories; he decrees that men shall not work until they have joined his union and paid tribute to him.

He has collected millions of dollars from the pay envelopes of the workers, contributed more than a million and a half of it to political campaigns and other millions are used in furtherance of his own ambitions.

Afraid? The people are afraid of Lewis, of the C. I. O. and its communistic allies, of the President and his Labor Board.

The people of Michigan know from bitter experience that it is impossible for them to continue to do business unless this course of conduct, these acts which are beyond the law, which are sanctioned by no law, except the law of might, are brought to an end.

We are not confronted by a theory. No longer can we hesitate, no longer vacillate. If business is to continue, it must be given protection under the law, and so, too, must the worker be protected against those who would impose their will upon him, compel him to pay tribute.

Your attention has several times been called by me to this situation, which has confronted us since the sit-down strikes began in January of 1937. That the great dailies of the country are taking note of it is evident from an editorial in the Detroit Free Press of yesterday, which carries much of the same thought. From it I quote:

#### THE TWO GREAT PLAGUES

A dictatorial ruling by the National Labor Relations Board, acting under the provisions of the Wagner Act, has been responsible for the suicide of Arthur L. Colten, Grand Haven manufacturer.

For months Mr. Colten had been harassed by labor troubles which, there is every reason to believe, were born of the one-sided, discriminatory provisions of the Wagner law.

And in her statement to the coroner, his widow made it plain that the peremptory order from the N. L. R. B. depriving him of freedom of choice and judgment in employing workers was the last straw that cracked his endurance.

Mr. Colten saw no future ahead. He believed he was being driven to ruin. He felt enslaved, and decided to end everything.

He was done to death by iniquitous legislation enacted in a supposedly free, enlightened, and just-dealing country.

The tragedy which the Wagner Act and its enforcement agency have brought about in this one instance is typical of what is being done all over the United States to business, to industry, and to the very wage-earners supposed to be enjoying special protection.

The act is one of two evils that are chiefly responsible for the present appalling and needless economic slump throughout the country and for widespread unemployment in consequence of it.

The other is the deliberately obstructive and destructive business-tax legislation in force.

These twin evils, operating together, are progressively subjecting American enterprise and prosperity to slow murder by shutting off opportunity and killing initiative.

Congress is trying to do something about the tax situation. There is hope that when the body adjourns, the undistributed-profits tax, and perhaps the capital-gains tax, will have disappeared and one big obstacle in the way of long-time business planning and continuous employment will be gone.

But the equally disastrous Wagner Act and its Ogpu, the N. L. R. B., seem so far to be impregnable.

Though fair and practical suggestions for changes in the law and in the manner of regulation have been made, and though the wiser heads of organized labor have joined with business in protesting against the impossible enforcement methods and rules in use, their remonstrances have had no result in Washington.

Congress seems to be paralyzed or asleep so far as the Wagner Act is concerned.

But it must wake up and do its duty if more and more sad tragedies in all walks of life are to be prevented, if businessmen ever again are to have hope and confidence and forge ahead in the old-time American way, and if wage earners once more are to have secure, continuing jobs and are to face the future for themselves and their families in confidence and in hope. And it must wake up quickly.

Congress is not asleep so far as the Wagner Act is concerned. We know what we should do. Let those who refuse to join with me in the amendment of the Wagner Act rise on the floor and give their reasons. Men the country over are waiting for the answer and for jobs.

Mr. PETTENGILL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PETTENGILL. If and when we get to read this bill under the 5-minute rule, can the bill, as it now stands, be amended more than once?

The CHAIRMAN (Mr. Buck). The Chair will state that the bill may be amended as many times as amendments may be offered and disposed of, but only one amendment may be pending at one time to the committee substitute.

Mr. PETTENGILL. Is not the bill in its present form a pending amendment to a Senate bill? If we amended that once, an amendment in the second degree, does the House have power to add any further amendment to the bill?

The CHAIRMAN. The Chair will state that the committee amendment is in the nature of a substitute for the Senate bill, and as it is an original amendment, amendments may be offered at any time but only one amendment to that amendment may be pending at one time.

Mr. PETTENGILL. In the discussion yesterday, Mr. Chairman, the gentleman from New York [Mr. O'CONNOR], and others, made some inquiries. I understood that it would require the consent of the House either by motion or unanimous consent to have the pending amendment to the Senate bill considered as an independent original bill. Is that correct?

The CHAIRMAN. The Chair understands that yesterday certain suggestions were made from the floor as to the order of procedure, but no consent agreement or other order has yet been made by the House or the committee.

Mr. PETTENGILL. That is right. I am addressing my parliamentary inquiry to the Chairman on the status as it is now. Can the pending amendment reported by the committee to the Senate bill be amended more than once?

The CHAIRMAN. The ruling that the Chair has previously made was with reference to the status of the bill as it is now.

Mr. TABER. Mr. Chairman, is it not a fact that after one amendment has been adopted to the committee amendment, another amendment affecting another section or another bit of language in the bill in the nature of a perfecting amendment may be offered?

The CHAIRMAN. It is the Chair's understanding that such an amendment may be offered.

Mr. TABER. And after that is done a motion to strike the whole amendment would be in order.

The CHAIRMAN. That is correct.

Mr. COCHRAN. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. MOSER].

Mr. DOWELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman yield to permit the gentleman from Iowa to submit a parliamentary inquiry?

Mr. MOSER of Pennsylvania. Mr. Chairman, I decline to yield.

The CHAIRMAN. The gentleman from Pennsylvania declines to yield for that purpose.

Mr. MOSER of Pennsylvania. Mr. Chairman, it is with considerable emotion that I rise on this occasion to address my colleagues on a question on which I have had engendered, during many years of experience, a feeling that cannot easily be set aside for one cause or another.

I crave the indulgence of the committee while I refer to a little part of a clipping that appeared in the Washington Post on last Friday morning purportedly quoting the President from Warm Springs. It is marked under the alphabetical character "C."

I have too much historical background and too much knowledge of existing dictatorships to make me desire any form of dictatorship for a democracy like the United States of America.

Only 3 days later, Secretary Ickes is press quoted as saying at Chicago:

Fascism is the deadly and insidious foe that we must prepare to combat without loss of time.

It so happens when my earliest ancestors emigrated to America they landed at New York and took land in Dutchess County, N. Y., on Quassick Creek, the county from which the President comes. It also happened that in 1912 I had



rather close associations with the present President of the United States and rather intimate contact as we colabored for the election of that great educator, a man whom I was mighty happy to follow—Woodrow Wilson. Among those who labored in that campaign were men who today are in the Cabinet of the President. These emotions to which I refer are of such pleasant and happy memory, contacts, and friendships that might be severed because of certain conditions, conscience, and whatever spirit of Americanism may prevail. One of these Cabinet officers on greeting me after having had the honor of becoming a Member of this body made known to me that it was gratifying to him to have me come here and to know the background I had, the subsequent experiences and training I had gained, the loyal and patriotic principles I had developed and expressed, were extremely refreshing from one having shared with him; that he had shared with me the situations that confront our Government today, particularly with reference to his discussion and mine on the subject of bureaucracy and the question of reorganization.

I was born not many miles from the city of Philadelphia. They seemed many to me when I was a lad, but today you can drive it in an automobile in less than an hour. I was inspired with the history of our great country and inspired with the patriotic fervor that gripped the Second Continental Congress as the Declaration of Independence was adopted in the city of Philadelphia, later to be followed by the adoption of the Constitution of the United States, giving birth to a Nation—my country—the land I love.

One of the gripping narratives of history that occurred at that particular time was when from the trenchant pen of Thomas Jefferson had issued that immortal document—the Declaration of American Independence. Lacking the power of oratory to carry the battle to the floor of the Convention, his friend, John Adams, made the fight for him. John Adams rose before that Second Continental Congress, struck his breast and proclaimed, "Your conscience is the minister plenipotentiary of God Almighty, placed within your breast; see to it that He does not negotiate in vain."

Mr. Chairman, I have served the Government of the United States in an official capacity. Numerous times have I taken the oath of allegiance to the Constitution of the United States, swearing I would defend it against all enemies, foreign and domestic, renewing that oath here, but I did bring with me that minister plenipotentiary—my conscience. I remember when that President I so much admired and loved, Woodrow Wilson, referred to those constantly boring from within. I remember how I listened to the inaugural address of President Hoover when he spoke about the overlapping of different agencies of the Government and the necessity for reorganization. I sat in the gallery yonder with the Representative of the district I now have the honor to represent and I remember what Congressman Shallenberger said in this well during the seventy-first Congress, on the question of reorganization.

Oh, I know how necessary it was at that time. It is with the greatest amount of regret that I note the small amount of accomplishment, having watched it closely. I remember that the only agency President Hoover recommended the abolition of was the Potomac Park Commission, and I followed the matter as closely as I could. I remember very vividly how the different agencies of the Government grew. I remember what it cost to run the Government for the fiscal year of 1915, when it was something like \$779,000,000. Next year with the adoption of the sixteenth amendment and enactment of an income-tax law, followed by our entrance into the World War in 1917, with its profits, the golden flow into our Treasury, there was great energy on the part of every agency of the Government to reach out and expand and give itself power to do this, that, and the other thing. I have seen this monstrosity grow. I have seen the octopus reach out and put its tentacles into everything.

I saw the civil service when every examination was on an open competitive basis, but I find that now the noncompetitive examination is the joy and the pride of each

and every one who would bureaucratize the entire Government, coupled with its twin the unassembled examination racket, permits the fitting of the examination to the applicant, like a tailor-made suit, peculiarly qualifying within the prejudicial design of the appointing officer. They have cast the merit system out of the window. No longer is the Civil Service Commission the recruiting agency it was designed to be, but become a personal political machine, autocratically disqualifying at will and by unassembled examination qualifying without ascertaining merit but accepting by certification presumed qualifications.

If I could succeed in amending this bill I would be most happy to prohibit the Civil Service Commission holding any other but open competitive examinations.

When we speak of policy-making positions in government, may I call your attention to the fact that regardless of business training and experience, policy-making appointees invariably on arrival at the Nation's Capital, whatever the preconceived high ideals and purpose, find themselves surrounded by policy-making bureaucrats, whose purpose is flattery, guile, and subtle influence until the policy-making appointee is completely engulfed by this innocuous system. The policy is framed for them by the bureaucrats who remain here in the smug complacency and security of their civil-service status, acquired by the blanketing process, the unassembled or noncompetitive back-door entrance to the system without established merit.

During my connection with the Post Office Department, one of the most autocratic of this particular type of bureaucrats I ever came in contact with was Harold N. Graves, administrative assistant to Postmaster General Walter Brown, the body of whose Government-owned Lincoln car had to be built to fit his silk hat. Harold Graves, under policy, did not leave with the change of administration, but he moved over to the Treasury Department, and today he continues to be the most ardent foe of the Comptroller General of the United States, whose daily average disallowance rejections of \$50,000 of a Treasury fiscal officer's approvals, bonded at only \$50,000, is irritation to warrant extermination of the office, if bureaucracy can accomplish it within the influence of its own organized forces. My former association invites and prompts confidences. One of these from the Treasury Department is in effect that failure to balance daily within \$5,000,000 is of no moment, with only the General Accounting Office to fear and that agency regarded with contempt.

I could tell about the strictures, because I know of these strictures. I have a constituent in my district whom I never met and who wrote me that after 18 years' experience in the office of the disbursing clerk of the Department of Justice, 13 years of which was spent as a deputy disbursing clerk, pleads for the retention and protection of the Comptroller General, pointing out that payment of vouchers disallowed by the auditor, probably a year later, when unable to recover, the disbursing officer being required to make good. He pointed out that after July 1, 1921, with the advent of a Comptroller General, doubtful vouchers could be immediately submitted, frequently in person without a day's delay, greatly relieving the worry over ambiguous language in the law. Quoting him:

If the taxpayers would know, as I know, the amount saved to them by reason of possible illegal payments during the past 17 years, the advocates of the change would be overwhelmed.

I know that the preaudit of a Comptroller General is valuable, regardless of the post audit of an auditor. It is something over which we do not need to worry, like locking the stable after the horse is stolen.

After the money is spent and the appropriation is gone, we cannot question the audit. It is done, and somebody must sanction it in order to save someone's face. A preaudit by the Comptroller General is a most valuable thing. I have seen one department or one bureau impoverished for prejudicial reasons, while another in abundance languished on the fat of the land, because somebody had the influence, and perhaps sufficient authority and control to remain there. The other had the temerity to do what is commonly called

"sticking out your neck." You have all heard the expression and know that that is what occurs.

May I say that it is most important that the Comptroller General be retained with full power and authority which he has had at all times. The auditor general is of little moment to the Congress. When the audit occurs it is in the form of a post audit, made after the appropriation has been expended. May I pause in passing to direct the attention of another bureaucratic attempt to scuttle, conceived by Mr. Ballinger and his committee, and carried in an amendment in another body, found on page 6026 of the RECORD of April 1, giving the power of a declaratory ruling to the Secretary of the Treasury in customs matters, having effect to scuttle other comptrollers, sent to conference.

Mr. Chairman, I could go on indefinitely talking about the particular experiences I have had. I note by the clock that my time is about to expire, but before the gavel falls may I call the attention of my colleagues once more that the spirit that I carry with me in the form of a conscience is something that is being touched to the very heartstrings.

In my district has sprung up an organization known as the German-American Bund. I was reared down in the country on a farm. I was born and resided on the farm and labored on it as a boy in the fields. An adjoining farm was finally converted into a club. A group of Germans—aliens—came to this country and formed the Heimat Bund. They came out to that particular community and tried to buy this club for the sole purpose of owning it and there launching their activities, allegedly for recreation and exercise, but actually to march and drill with swords, guns, and helmets, as one aged naturalized German states it in complaint. He charges this display unnecessary, that he reared an American family, and if his Fascist emigrant followers don't like America as he loves it, called upon me as his Representative in Congress to drive them out of the country and back whence they came.

However, this bund would not pay the price asked for this farm on which I worked and labored in my younger days.

In the city of Reading, Pa., is an old organization known as the Liederkrantz, composed entirely of Americans of German origin or extraction.

Failing to acquire this club site, they joined the Liederkrantz, before their objectives became known to those thoroughly Americanized.

It is now currently reported this Heimat Bund, more recently become the German-American Bund, have attained the ascendancy and control of the Liederkrantz, and have acquired title to a farm in another township where they intend to locate their drill field for recreation and exercise.

Feeling has run that high, that several weeks ago, we had the anomalous situation of our patriotic Pennsylvania Germans, our own Pennsylvania Dutch, picketing the Liederkrantz. Police have been called out and threats have been made.

I have received messages from these old men, men in the Liederkrantz chorus, one of whom sang with me in the Reading Choral Society, telling me to do something, but I am impotent and cannot do anything. I have received letters from the Patriotic Order of Sons of America, and from the Sons of the American Revolution. The city is under a Socialist administration, yet the Socialist Party has appealed to me by petition. Still we have it, and that is what is alarming my people. That is what is alarming the people from whom I spring, the people whose ancestral blood was shed and whose feet were frozen at Valley Forge. My ancestors were there and shed their blood with Washington's Army. Those are the people, whose children's children about six generations removed, who are writing me, often with a pencil on a piece of tablet paper.

I have received only two postal cards from my district asking me to support this bill in its present form. What we are headed for they cannot tell but look on it with a great deal of apprehension. My people are greatly disturbed. I have cited disturbing influences.

I may say to my colleagues that the address delivered here by the gentleman from Texas [Mr. SUMNERS] a few moments ago has appealed to me very strongly and in such a manner that I really believe he is on the right track and that what he says is absolutely true.

Mr. ANDRESEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. MOSER of Pennsylvania. I yield to the gentleman from Minnesota.

Mr. ANDRESEN of Minnesota. The gentleman has made a wonderful contribution to this debate and I am pleased to hear he is opposed to some of the attempts being made in this legislation. I understand the gentleman wants the Comptroller General retained as he is?

Mr. MOSER of Pennsylvania. Absolutely.

Mr. ANDRESEN of Minnesota. In other words, the gentleman is opposed to the bill?

Mr. MOSER of Pennsylvania. Yes; without complete retention of the Comptroller General with authority unrestrained and responsible to the Congress.

Mr. Chairman, I have briefly but rather definitely outlined my views on the civil service. I see no distinction or hope from the system, whether continued under the bipartisan commission system and a single administrator with a board, for I am fully convinced that, regardless, without restrictive legislation as I have advocated, the policy of the civil service will continue unabated.

I, too, am one of those Members of the House who voted for the bills set forth in titles I and II of this bill. I could not see why those charged to other departments whose services are commanded and used by the executive department should not more properly be placed and charged to the executive appropriations, rather than other departments of the Government.

I could see no valid or justifiable reason for withholding the reorganization authority previously granted to President Hoover by the Seventy-first Congress, and to President Roosevelt by the Seventy-second Congress. With assurance of a member of the committee, high in the confidence and rank of this House that the Comptroller General and General Accounting Office would not be disturbed, I voted for it. When it became apparent there was to be returned to this House by way of a conference report, measures adopted by another body on which this House has not passed, I was assured by the same Member, in whom I have great confidence, that as a conferee he would not yield on the right of the House to have separate votes on the Comptroller General and General Accounting Office, and civil-service provisions of the bill from the conferees. We are now confronted with the necessity of approving our previous action as coupled with what was never separately before this House. I am apprehensive.

I yield to none in my loyalty to the President of my country. I did all in my power to place him there. As previously expressed in debate on this floor, I conceive it as much a duty in that loyalty to protect him from those "boring from within." I shall conceive it to be my duty to do all in my power to offset the alarm that has been kindled in the hearts of those I love and represent, who cannot help but view with attendant alarm the warning on one hand of preparation to combat fascism without loss of time.

Mr. Chairman, I yield back the remainder of the time so generously extended me.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. LUCE].

Mr. LUCE. Mr. Chairman, at least 500,000 citizens by letter or telegram or by signing petitions have urged Members of Congress, Senators and Representatives, to vote against the reorganization bill. By reason of its bearing on the votes we are to cast, this prompts me to say something about the right of petition.

As a Member from Massachusetts, it is not unfitting that I recall perhaps the most dramatic and the most important episode in the history of the House of Representatives, in which a Massachusetts man was the chief figure. Two years



after he had been President of the United States, a century and more ago, John Quincy Adams consented to renew public service, this time in the House of Representatives, where he was its most conspicuous Member through many years until stricken at the post of duty in yonder Chamber. In January of 1836 he rose to present a petition to abolish slavery in the District of Columbia. Bedlam broke loose. Boos and hisses and yells filled the Hall. "Expel him," some shouted. Adams refused to be silent and stoutly insisted on the right of petition. The outcome was the wretched gag rule under which everything relating to slavery should be laid upon the table without being printed or referred.

So began the battle the Massachusetts warrior was to fight through 9 years. A hundred years ago this very month he was on his feet to press his views, and in June he began a speech that with interruptions for other business continued for 3 weeks. At the beginning of each session he rose to present the obnoxious petitions. At intervals through the sessions he produced more petitions, now a few, now a score, now hundreds. Nothing daunted by their angry rejection, the doughty old warrior persisted year after year until majorities against him began to dwindle. In December of 1844 a motion to lay his usual motion on the table did not prevail, and on the main question he won his long-delayed victory by 108 to 80. That night the persistent, tenacious, obstinate, stubborn Massachusetts Puritan wrote in his famous diary, "Blessed, forever blessed, be the name of God!"

He had fought single-handed, only the smallest of help coming to him through much of the contest. Perhaps never for so long a time was one legislator the target of so much virulence, denunciation, censure, ridicule, abuse. Perhaps never did one legislator display more courage, tenacity, patience, fortitude.

All this was from his convinced belief that a fundamental of liberty is the right of the people to petition. It was a right set forth in Magna Carta, a right assured to the people of England when William of Orange took the throne in 1689, a right inserted in the Constitution of Massachusetts by the father of John Quincy Adams, the Adams who was to be the second President of the United States, a right proclaimed in the first of the 10 articles of amendment of the Federal Constitution that were known as the Bill of Rights, without the promise of which the Constitution would not have been adopted, a right set forth in the constitutions of 45 of the States and that would undoubtedly prevail in the other 3.

Contrast the attitude and course of John Quincy Adams in this matter with that of another President of the United States, the present Chief Executive.

A week ago yesterday President Roosevelt, speaking to newspapermen at Warm Springs, said in reference to the passage of the bill by the Senate:

It proves that the Senate cannot be purchased by organized telegrams based on direct misrepresentation.

His secretary, Marvin H. McIntyre, leaned forward to caution Mr. Roosevelt on use of the word "purchased," but the President would not alter his remark and replied that he had used the word deliberately.

The sentence is at first sight confusing, it not being clear who tried to purchase, but analysis shows it must have been the senders of the telegrams. In the same class must be included by inference those who have sent letters or signed petitions. Half a million citizens are thus charged with abusing the right of petition. They are told by the President in effect that they have done something immoral, something shameful, in sending petitions to Members of Congress.

To soften this grave charge Mr. Roosevelt, by describing the telegrams as "organized," tried to pass on the blame to some scoundrel or scoundrels unspecified. When did it become an offense to organize judgment on public questions? That is a crime in Italy, in Germany, in Russia, but not yet in the United States, thank Heaven!

As a matter of fact, however, my judgment is that a large part of the petitions I have received have come from con-

stituents responding to the suggestion of newspaper editorials. One Boston paper, a most serious journal, has twice enclosed in an explanatory editorial a list of all the Members of the House from Massachusetts, urging readers to address us. The letters and telegrams come from citizens in all walks of life, evidently of diverse political and religious faiths, occupations, and associations. That they ever dreamed they were engaged in doing something mercenary, venal, or corrupt, as the word "purchased" implies, is unbelievable.

Finally, the charge that these telegrams, of course including the letters and other forms of petition, have been based on direct misrepresentation, misses the mark. The half million men and women who have thus petitioned Congress and who undoubtedly speak not only for themselves but also for millions of the silent, know very little about what is in the bill. They care nothing about its details and for the most part have paid no attention to what has been said as to particulars. Their judgment springs from one belief and one only, that this bill means giving more power to the President. It does that and they do not wish it done.

Whether they are right or wrong is not at the moment the vital thing. The fact to be reckoned with is that Stalin and Mussolini and Hitler loom before them. They fear "it may happen here." To allay their fear should at the moment be our chief concern. It cannot be done by insulting their intelligence and impugning their morals because they exercise the right of petition, one of the pillars on which rests the temple of their liberties. It can be done by letting the framework of our Government alone for a while. The wise course, then, is to postpone consideration of the matter to a happier time. [Applause.]

Mr. COCHRAN. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, when this bill came before the House, I personally had decided objections to several of its provisions. I was and still am unalterably opposed to the Senate version of this reorganization measure. Indications now are, however, that several amendments will be offered which will change some of the provisions in the bill, and there is a possibility that the bill in its final form, after it has been amended, and when it comes up for final passage, will contain none of the features to which I originally had objection.

I believe an opportunity should be presented to have amendments suggested to this bill as it now is. I also believe we should have an opportunity to discuss the proposed amendments.

I understand that on tomorrow a motion will be offered to strike out the enacting clause. Because I believe as I do relative to the introduction and discussion of amendments, I intend to vote "no" on the motion to strike out the enacting clause. [Applause.] However, I want it distinctly understood that my vote of "no" on that motion will in no wise indicate what my action will be when the measure comes up for vote on final passage.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. SCOTT].

Mr. SCOTT. Mr. Chairman, I received a telegram this morning which says "Vote against this reorganization bill in any form." It did not say "I advise" or "I think you should," but just said "Vote against it in any form."

I wonder what was behind a telegram of that kind. I remember when I first came here one of the first bills, that was most controversial, that came before the House was the holding-company bill, and I received a lot of telegrams just like this one on that subject. I received a lot of letters that said this was a form of communism, that the Government was going communistic, the President was communistic, and I was told if I voted for that holding-company bill I would be defeated in the 1936 election. It was popular with the opposition then to call everything that the President was attempting to do communism, and we conducted a campaign on pretty much that issue and found out that the people in

the country did not believe this country was threatened by communism, or that the President was even inclined to communism.

Then about that time Hitler and Mussolini and Franco got busy and we discovered in this country there was a great deal of sentiment against fascism, nazi-ism, and dictatorships. So then when legislation came in here proposed by the President the popular thing for the opposition to do was to say that it meant the creation of a dictatorship or the creation of fascism in the United States. People who, today, write me and say that the President wants to make of himself a dictator by this bill wrote me on the holding-company bill and said he wanted to make the country communistic by the holding-company bill.

They found out that the people of the country in 1936 were not afraid that the President was leading us into communism by that holding-company bill, and the 1936 election was the result.

Then, the same people who are writing me on this reorganization bill wrote me on the Court bill, and they told me that there was a revulsion of feeling against the President of the United States because he had made this proposal, and that this was communism and dictatorship both. It was not only communism but fascism. How the two can go together I do not know.

They have now picked up a bill here that is difficult for a lot of people of the country to understand. I recognize this fact. It states it is a bill to reorganize the Government, and I know a lot of people in my district and throughout the country who would believe it if somebody told them that the reorganization of the Government meant the creation of a dictatorship. Without taking the trouble to study the entire bill, which they probably have not seen yet, to see what it provides for, they say that if he is going to reorganize the Government and establish a dictatorship "I am against it," and then they write letters about it.

You know it is possible that there are a lot of good things in this bill, so I think the person who wired me and said, "Vote against it, no matter in what form it is," was badly advised or mistaken. There may be some things in it that are good. I think it is a good bill, and I intend to vote for it on final passage; but it seems to me that what is happening is this: The opposition to Franklin Roosevelt or the opposition to the Democratic Party has seized upon a good bill to destroy the popularity and the influence of the President.

They tried to do this in the holding company bill, and they tried to do it on the Court bill, and were not successful. They are now trying to do it on the reorganization bill, and gentlemen have stood on this floor from both sides of the aisle and have been trying to show us that legislation which the President has recommended would tend to create a dictatorship in this country. One gentleman, the gentleman from Kansas, whom I interrogated, pointed out different pieces of legislation and said, "Then there was legislation in between times that would bring out the fact that the President of the United States was steadily coming to a dictatorship." I asked him if he intended to convey the impression that he thought the President of the United States knowingly, consciously, almost premeditatedly was changing our form of government from a democracy to a dictatorship, and he said that was the impression he intended to convey. Then I asked the gentleman this question, and I repeat it now to those people who have been accusing Mr. Roosevelt of attempting to establish a dictatorship here: If you gentlemen believe that, if you consciously believe that the things he is doing are leading this country into a form of dictatorship, then you must believe that he is guilty of malfeasance in office.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. SCOTT. You must believe he is guilty of malfeasance in office in attempting to change the form of government, and unless you are a Republican or unless you are a Democrat that does not intend to stand for reelection in the

next campaign, you do not dare to get on this floor and carry your convictions into action by proposing the impeachment of the President for malfeasance in office.

I doubt very much whether there is a Republican who intends to stand for reelection in 1938 who would dare stand on this floor and offer a resolution of impeachment; yet, if you believe what you profess to believe, that it is the intent of this legislation further to create a dictatorship here, you are guilty of malfeasance in your job, you are guilty of going back on the oath that you took unless you present at the conclusion of your remarks that kind of resolution to impeach the President. I dare one of you to do it. [Applause.]

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield.

Mr. LAMBERTSON. Does not the gentleman think that the real last evidence of dictatorship is the argument so ardently made that the reason you should stand for the bill is to stand by the President? Has not that been the sole argument?

Mr. SCOTT. That is not the argument I am going on. I am going to vote for this bill not just to support the President, but because I believe the reorganizing proposed is necessary and should be done. I am saying that you who accuse him of trying to establish a dictatorship here are remiss in your duty if you do not carry your convictions into action and present a resolution of impeachment.

Mr. LAMBERTSON. We love our country. We do not want to impugn that to any President.

Mr. SCOTT. The gentleman did on this floor.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield.

Mr. ZIMMERMAN. I would ask the gentleman whether our Republican friends back in 1932 did not carry reorganization as one of the planks in their platform.

Mr. SCOTT. You are quite right. Here it is:

Efficiency and economy demand reorganization of Government bureaus. The problem is nonpartisan and must be so treated if it is to be solved. As a result of years of study and personal contact with conflicting activities and wasteful duplication of effort, the President is particularly fitted to direct measures to correct the situation. We favor legislation by Congress which will give him the required authority.

Mr. ZIMMERMAN. They said the President was peculiarly fitted to do that job. Were they afraid of a dictatorship then?

Mr. SCOTT. No; and they were not afraid of a dictatorship when we passed the first two portions of this bill last year. They did not use the word "dictatorship" then. They did not use it until they decided that that was a good way to destroy the President. They talked about it then.

Mr. ZIMMERMAN. In 1932 they went to the country and asked the people to elect them to Congress on the plea that they would work for a reorganization of the Government, the very thing we are trying to do in this bill.

Mr. SCOTT. I think it is time they stopped this loose talk, Mr. Chairman, that the President of the United States is trying to create a dictatorship. Let them put up or shut up. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Chairman, the gentleman from California [Mr. SCOTT], who has just preceded me, has challenged those who are opposed to this legislation to impeach the President if they feel that he is asking dictatorial powers in insisting upon forcing this measure through Congress. That challenge seems to be the contribution of the gentleman from California to this debate, and is just about the length, the breadth, the height, and depth of many of the arguments favoring the bill. How silly it is to suggest that the President of the United States be impeached because he is demanding what has been called a subservient, rubber-stamp Congress, that such Congress give him such powers as he may desig-



nate. It would seem more appropriate that the challenge be directed to any spineless, rubber-stamp Representatives who follow blindly the leadership of any President and who might, perchance, subrogate their duty to their country to their political allegiance to any party leader. I am sure that the suggestion of the gentleman is not in keeping with his usual cogent method of reasoning.

Efficiency and economy suggest the desirability of reorganizing the departments and agencies of the Federal Government. During the last 150 years there have grown up many duplicating, overlapping, and useless bureaus, commissions, agencies, and Government-controlled corporations, and this condition has been tremendously aggravated during the last 5 years. We are all agreed as to these facts, and I think we are all agreed that the main objectives of reorganization are, first, efficiency, and second, economy, and economy means saving the taxpayers' money.

There has been no serious contention made by the proponents of this bill that any economy will be effected by the reorganization provided for in the bill. Therefore, it would seem that the real objective might be a hope for more efficiency in government.

There has been much argument here as to just what prompts bringing this bill before the Congress at this particular time, and I have cast about to find the answer. A little review of the last 5 years has convinced me that this bill is one of the measures in the scheme to establish a system of planned economy for the future guidance of our people. Now, I have not heard this suggestion made throughout the debate, but let us remember that the New Deal in the beginning presented a series of proposed laws, each functioning in a particular field, yet all synchronized in such a way that the several measures are in reality cogs in the wheel.

This new philosophy of planned economy revolves around the premise that all power should be lodged in the Federal Government in Washington. Time will prevent great elaboration. Suffice it to say that the first bill attempted, through the N. R. A., to regulate and control industry throughout the length and breadth of the land. Neither little business, big business, or business in between was exempted. Then came the A. A. A., the purpose of which was to control and regulate agriculture in its entirety. This was followed by the Court-packing bill, the purpose of which was to make the judiciary subservient to the will of the Executive. Later, the administration submitted to Congress a measure that would give the President carte blanche authority to reorganize the entire Government. As originally proposed, the powers granted to the Executive were so broad and comprehensive that it would have been possible for the President to abolish even the Presidency itself, to say nothing about all of the departments and quasi-judicial commissions and bureaus. This last bill in modified form is what we are now considering. In this connection, we must not forget the other vast powers delegated by the Congress to the Executive during the last 5 years. Billions of dollars have been provided to the President to spend in his discretion. He was given power to regulate the value of our currency. He has power to determine our foreign policy and his is the responsibility of enforcing our laws. He is the Commander in Chief of the Army and Navy, and possesses the numerous other powers outlined in the speech made by the gentleman from Illinois [Mr. ALLEN] this afternoon.

When the original reorganization bill was suggested to Congress, naturally that body hesitated. The House Committee on Reorganization took from the proposed bill four suggestions and embodied those suggestions in four separate bills, two of which have passed the House. On the other hand, the Senate passed the general reorganization bill, and we are today considering, as a substitute for the Senate bill, the four House proposals, so that any bill passed by the House will go to the conference committee and the jurisdiction of that committee will be limited only by the House and Senate bills. It will, therefore, be pos-

sible for the conferees to agree upon the Senate bill, and we may be asked to vote that bill up or down.

Partisan politics should have no place in reorganization of the Government, and by the same token partisan politics should have no place in the consideration of this important measure. On last Thursday this bill was brought before the House with the express determination on the part of the administration leadership to force a vote on Friday night. The opponents of the bill, both Republicans and Democrats, made this arbitrary action impossible, and as a result we have had considerable debate. We were told in the beginning by majority members of the committee in charge of the bill that there must be no amendments to the bill; that its effectiveness would be ruined if material amendments were permitted. Thanks to modern methods of communication, including the press and the radio, the country was advised of what was about to happen, and an aroused public sentiment against any such procedure has actually stormed the Congress. You who are insisting on rushing this thing through, cry against what you call propaganda, and condemn the folks back home for their temerity in expressing their views to their Representatives by telegram and letter. You say that this protest should have no weight with the Congress; that it is inspired by some evil spirit. However, you seem to forget that because of these protests you have already abandoned your line of battle. You are conceding amendments to groups and blocs in an effort to get sufficient votes to pass any old kind of a bill. You have no hesitancy in asserting that some kind of face-saving bill must pass and go to conference.

Your battle cry now is, "Support the President. He has a mandate to do that which he thinks is best for the country." And all New Deal Democrats are expected to hold tight to the coattail of the President and follow, follow on. It has been found necessary for the Speaker of the House, the majority leader, and other splendid and influential Members to take the floor and make partisan speeches appealing for the passage of this bill, not because of its merit but on the ground that an assertion of independence on the part of the New Deal Members will injure New Deal prestige. I ask you, why should you, supposedly independent Representatives of your several constituencies, yield to any argument of political expediency?

It has been charged in the press, and by some throughout the country, that this bill will make a dictator out of the Chief Executive, whoever he may be. Let me remind you that dictatorships usually come about through revolution, conquest, evolution, or docile submission on the part of the people. I have no fear that this country will ever have a dictatorship by conquest. Our troubles will be internal. There is a point beyond which the people will not go, and revolution might be possible. When I say "evolution", I mean by the ordinary processes of government. Laws delegating to the Executive powers lodged in the Congress by the Constitution are but a subtle way of clothing the Executive with dictatorial powers. It is possible for the legislative branch of our Government to furnish everything essential to dictatorship except the desire on the part of the Executive. This bill goes a long way in that direction. Oh, yes; the President awoke from a deep slumber at the midnight hour a few days ago, called to his bedside the newspaper reporters, and announced to the world that he did not want to be a dictator, was not qualified for the job, and that his background told him better.

In this connection I cannot forget the truism repeated by the President in his Pittsburgh speech during the last campaign, when he said:

The way we do things, and not the way we say things, is usually the measure of our sincerity.

The straws always show the way the wind blows; and when President Roosevelt attempted to remove Commissioner Humphrey from the Federal Trade Commission simply because the Commissioner's mind did not run along with the mind of the President, that action spelled, as plainly as words can spell, the philosophy of the President, as far as these independent agencies set up by Congress are concerned. He would like to make them all amenable to his will. Of course, no President will ever be a dictator in this country if

the public understands fully just what is happening. The Good Book says:

By their works ye shall know them.

Reputation is what the people say about us. It is based on an appraisal of what we do. Character is what we are. If the demands of the administration during recent years have been such as to arouse our people to a sense of danger, so far as dictatorship is concerned, then who is to blame? It is a sad commentary on the New Deal administration when the President himself feels called upon to issue a solemn statement saying that he really does not want to be a dictator.

If this bill becomes a law, it will destroy our civil-service system. A single administrator, appointed by the President and answerable to the President, will supplant the three bipartisan Commissioners we have at present. It is fair to presume that merit as determined by the competitive examination will go out the window and in its place will come patronage and political domination. When the New Deal came upon us, there were 578,000 persons in the executive branch of the Government. This number has been increased until today there are 836,173, an increase of over 258,000 political employees. In practically every law enacted setting up these New Deal agencies a provision was included providing that:

All personnel shall be selected without regard to the Classification Act and the civil-service law.

Under this set-up, the President could, and would, cover these politically selected appointees into the civil service without any competitive examination. I am opposed to giving any President any such power.

If this bill becomes a law, the Comptroller General's office as it now exists will be abolished. Its independence will be destroyed. There will be no audit and no check on the spending of money appropriated by the Congress until after the money has been spent. In short, the Congress may write the rules and regulations but the executive departments will use their discretion in interpreting them. At present the Comptroller General, as the direct representative of Congress, is charged with the duty of seeing that the money is spent in accordance with the law, and his approval must be given before the money is spent. He has nothing to do with policy. He has no discretion, but must follow the law. He cannot be removed by the President. If the administration has its way, the audit will be after the money is spent. What benefit will it be to the Congress or to the country to be advised as to how the money was spent? We have the stable locked today. Why take off the lock in order that the horse may be stolen?

This bill proposes more than a reorganization of existing governmental agencies. It sets up a new department of welfare, with an additional member in the Cabinet. Listen to this:

SEC. 5. The secretary of welfare shall promote the public health, safety, and sanitation; the protection of the consumer; the cause of education; the relief of unemployment and of the hardship and suffering caused thereby; the relief of the needy and distressed; the assistance and benefits of the aged and the relief and vocational rehabilitation of the physically disabled; and, in general, shall coordinate and promote public health, education, and welfare activities.

There is no limit as to just how far this new department may reach out, but we are assured that there will be an undersecretary of welfare, two assistant secretaries of welfare, a solicitor, and all the other personnel and trimmings that go to make a Cabinet set-up. By no stretch of the imagination can this be said to be reorganization. This set-up alone will absorb any possible savings that might be brought about under any other provisions of the bill. The gentleman from Virginia [Mr. Woodrum], than whom the President has generally had no stronger supporter in the House, rebels against this provision of the bill. He is a member of the Committee on Appropriations and understands how the Government is financed. He tells us that this department alone will cost a minimum of \$1,000,000,000 a year, and there are those who indicate that when fully expanded in

accordance with the hopes of its advocates, this new welfare department will cost the taxpayers as much as \$3,000,000,000 a year. Yet, we are seriously asked to call this a reorganization bill.

If there is anybody here who thinks that the people of the country are for this provision of the bill, let him consult the press. Let him inquire back home. No, he need not do that. Let him consult the correspondence, the requests, the prayers, and the appeals received during the last few days. Do not tell me that these people are not sincere, and that they are controlled by sinister motives; that they are opposed to this legislation because it is advocated by the New Deal. They are opposed to the principle. Their forefathers fought for liberty. They want to retain that liberty.

Time will not permit a discussion of the many other specific features of the bill. I do want to call your attention to the fact, however, that six additional assistants are provided for the President, six more assistant presidents, or secretaries, or whatever you want to call them, to be domiciled in the executive offices at the White House, at a salary of \$10,000 each. These are in addition to the three secretaries now provided. The salaries are but a small part of the expense, however, because there will be the secretaries to the secretaries, the stenographers, the clerks, the messengers, the new offices with all the luxurious equipment incident to White House life. You know on every ocean-going liner, there is a control board in the captain's quarters and from this control board all the functions of the ship, from speed to ventilation, are controlled by simply pressing a button. The real purpose of this bill is to place in the White House such a control board.

In conclusion, may I repeat that this is not emergency legislation; that the Government has been worrying along for 150 years without reorganization; that this is not a money-saving bill; that its real purpose is to divest the Congress of power that it now has under the Constitution and delegate that power to the Chief Executive to be used as he may see fit. The President wants the power, and he will do the rest. He even objects to submitting to Congress for approval the changes he proposes to make. Upon his demand he secured similar authority to make reciprocal trade agreements with foreign nations and, as a result, our own markets have been sold down the river. It has been argued here that the Congress can at any time repeal this law and reclaim the power. This bill can become law by a majority vote, while it takes a two-thirds vote to override the President's veto and reclaim authority granted.

It has been said that Congress is too busy to investigate and bring about this reorganization. If this bill becomes a law, certainly the President himself cannot do this work. Oh, no; it will be delegated to some of his starry-eyed advisers; and I was never surer of anything in my life than that the people of this country do not want the Government reorganized by this group.

This whole measure is fundamentally wrong, and if it is fundamentally wrong, amendments will not perfect it. I express the sentiment of an overwhelming majority of the people in the district which I represent in opposing this bill. Believers in constitutional government are still in the majority. They want to preserve inviolate the legislative, the executive, and the judicial branches of our cherished democracy.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. Fish].

Mr. FISH. Mr. Chairman, in the concluding moments of this debate I desire to make certain observations and comments on the reorganization bill, because it raises a great American issue transcending party lines. If it were not that I put my country before my party, I would remain silent and not obtrude my views and sentiments on this occasion and upon this highly controversial issue, but I confess that I believe that if this reorganization bill goes through in any form whatsoever it will be distinctly to the political advantage of the Republican party in the fall campaign. I believe with all good faith and sincerity that if this bill is enacted into law that it will mean the election of 50 additional Republican Members of Congress beyond those who



would be elected this year as a result of the normal reaction from the New Deal sweep of 1936. No one, therefore, can say that I am speaking from a partisan point of view in opposing this attempt of President Roosevelt to grab more power. I do not believe that the President of the United States could render any greater disservice to the Democratic Party, not even if he joined the Republican Party, than by forcing the consideration of this reorganization bill at this time in the midst of an economic crisis with 13,000,000 Americans unemployed and 5,000,000 more on part time instead of trying to solve our serious economic problems and putting our wage earners back to work.

Who is demanding the consideration of this reorganization bill in addition to the President of the United States? No great organizations are asking for it. The President alone is insisting on the passage of the bill which grants him vast additional powers, particularly over the civil service, the Comptroller General's office, and welfare funds. Have the farmers made any demand for the bill? Has the American Federation of Labor made any demands? Have the American people made any demands throughout this country either by petition, in the press, or in any way whatsoever? Certainly both small and big business are not urging it. I may say to my Democratic friends, this bill is in an entirely different category from the Court packing plan or the utilities bill, or any other bill that has been mentioned upon the floor of this House. When the utility bill was being considered and the Supreme Court packing plan was being voted on in the Senate, organized labor was behind the President on both proposals, and so were other great groups throughout this country.

I have just come back from a week's trip, speaking in five different States. I did not find a single person where I spoke—and they asked all kinds of questions—who favored the reorganization bill or who would defend it. I do not know of any organized group for the bill except the Communist Party and its official organ, the Daily Worker. As the gentleman from Massachusetts [Mr. Luce] said, the reason the American people are against this bill is not that they care about the phraseology or the details. They do not know exactly what is in the bill, and furthermore, they do not care. All they know is that this bill gives additional powers to the President of the United States and is a further grant by the Congress of legislative powers to the President to set up a one-man government.

For sake of argument I do not propose to stand here as maybe, others have and accuse the President of trying to be a dictator or trying to set up a totalitarian state. That is not necessary. But the fact is that the President has an obsession for power that amounts to a virtual passion and keeps demanding more and more from Congress. President Roosevelt has had far more power than any other President, yet he is solely responsible for the present Government-made Roosevelt depression. If he should resign and Vice President Garner should become President, confidence would be restored throughout the Nation in 30 days. Why should Congress surrender and abdicate any more of its legislative functions to the Chief Executive and leave itself with no more legislative authority than Ghandi has clothing? The time has come for Congress to recapture and take back some of the powers already granted and thereby restore representative government and control over our free institutions to the people themselves.

Today we are celebrating the twenty-first anniversary of our entrance into the World War. Some of us who went into that war were told that we entered it in order to make the world safe for democracy. What a travesty. What a farce. What a mockery. Many of the European nations have gone to the left or to the right into autocracies and dictatorships, such as fascism, nazi-ism, and communism, and here we are 21 years after our entrance into the World War about to conclude a debate on a bill which would follow in the footsteps of these foreign nations, not to make the world safe for democracy but to give still greater power to the President of the United States and help to set up a supergovernment. That is what the people of this country

object to. They do not want to provide at least the chance or the opportunity to the President to form an autocratic or a one-man government, and follow in the footsteps of fascism, nazi-ism, or communism. That is the main issue before the Congress of the United States and all the rest is shadow boxing and camouflage.

Mr. Chairman, this is permanent law. This is not an emergency measure. This gives permanent power to the President of the United States, and if we want to admit for the sake of argument that the present President has no dictatorial complex, which I am unwilling to admit, how can we guarantee that a future President may not want to use these dictatorial powers. He may be inclined to fascism. He may be inclined to nazi-ism. He may even be inclined to communism. No matter what proposals are made, no matter what makeshifts or amendments are introduced, no matter what compromises are offered, I say to all Members of the House of Representatives, you cannot compromise with our free institutions; you cannot compromise with popular government; you cannot compromise by giving these additional powers into the hands of any one man, be he Republican or be he Democrat. I propose to take you back to the early days of our country and we can well afford to consider the words of our first President in the present crisis. We are about to vote on this supergovernment measure in defiance of the wishes of the American people. What was it that Washington had to say in his Farewell Address about concentrating power in the hands of one man? Why has that not been brought up on the floor of Congress and read and reread. It should be read in every American school and learned by heart by a free people. If any man ever had a prevision of what might happen to this country by concentrating power in the hands of the Chief Executive, it was George Washington. I quote from his Farewell Address:

It is important, likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments into one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart, is sufficient to satisfy us of the truth of this position.

The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositaries, and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

I include herewith a list of the powers of the President, and with President Roosevelt reaching out continuously for new powers, it is time to review again those that he already has—and has so misused.

The powers granted him by the Constitution of the United States are these:

To "take care that the laws be faithfully executed."

To command the Army and Navy—also, on occasion, the State militias—and to commission all officers of the United States.

To make treaties, by and with the advice and consent of the Senate, and to receive ambassadors and other public ministers.

To appoint diplomatic and consular officers, judges of the Supreme Court, and—unless otherwise decided by the Constitution or the Congress—all other Federal officials.

To inform Congress from time to time regarding the state of the Union, and to "recommend to their consideration such measures as he shall judge necessary and expedient."

To veto Federal legislation of which he does not approve—though the Congress may override the veto by a two-thirds majority.

And these are the additional powers which, on a plea of emergency, Mr. Roosevelt has been granted by Congress since 1933:

To issue \$3,000,000,000 of banknotes, as he pleases.

To regulate as he pleases the acquiring and holding of gold, its transportation, treatment, import, and export.

To decree the free and unlimited coinage of silver, at any ratio he sees fit.

To devalue the dollar again, if he likes.

To dictate the Nation's relief policies, and determine the rate of pay granted to W. P. A. workers.

To spend, under the Emergency Relief Act of 1936, billions of dollars, virtually as he chooses.

To operate as he likes a secret fund of \$2,000,000,000, for stabilizing the dollar and maintaining Government bond prices.

To raise or lower the tariff at will, within 50 percent, on any import he selects.

To conclude reciprocal trade treaties without submitting them to Congress.

To suspend trading on every stock exchange in the country for 90 days, at his discretion.

To control, through the Treasury and the Federal Reserve System, the Nation's supply of credit.

To use the cash paid into the Social Security reserve fund to meet current deficits.

To control the Nation's agricultural production, under a system of loans, benefits, and penalties for farmers.

To decide, when he likes, that a conflict abroad is a "state of war" or that it "threatens or endangers the peace of the United States," and thus put into effect a complicated system of embargoes, which he may modify or terminate at his discretion.

And these are the additional powers that Mr. Roosevelt is asking in the so-called executive reorganization bill:

To rearrange, abolish, or combine Federal departments and agencies at his discretion.

To control the Federal civil service by abolishing the Civil Service Commission.

To spend, as he sees fit, the moneys appropriated by Congress, without previous check by a comptroller general and subject only to an audit after the money is spent.

To extend and strengthen his personal authority over all Government corporations and over the hitherto independent Federal commissions.

And these are still other powers that Mr. Roosevelt is asking urgently of Congress:

To control labor, industry, and business by a complicated wage and hour law;

To set up, under a law creating seven new authorities in seven districts, seven new collectivist experiments like the T. V. A., all run personally by him.

Is not this enumeration formidable? Does it not speak for itself? Is it not time to call a halt?

For more than 5 years Mr. Roosevelt, armed with these vast extraordinary powers, has been planning, experimenting, dominating. He asked for the responsibility. It was given him. And where has he brought us? Straight into a new depression, almost before we were out of the last. No words should be necessary. Events are eloquent enough. Not only should Congress refuse him all of the new powers he demands, but it should take away from him the extraordinary powers he was granted on plea of emergency. It should begin to do this at once, before he succeeds in muddling us into an even worse situation than that now upon us.

In conclusion, Mr. Chairman, may I say to the Members on both sides of the aisle that the fundamental faith of the Democratic Party for 150 years has been against the concentration of power in the hands of the Federal Government. The Republicans have always stood for a reasonable centralized Government, but you Democrats have always stood for States' rights and States' sovereignty and were against the

consolidation of power in the Federal Government to interfere with business and with the individual. However, you have already by your votes in Congress granted vast emergency powers to the President. You have delegated the legislative power in the Chief Executive, so that today you have gone way beyond anything the Republican Party ever dreamed of, so far as the concentration of power in the Chief Executive is concerned. You have gotten as far away as you possibly could from the fundamental principles of Thomas Jefferson, and I hope the Democratic majority will save the day tomorrow by refusing to vote additional powers to President Roosevelt in this great economic crisis which no one else is demanding or even favors. [Applause.]

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. STACK. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN (Mr. McCORMACK). The Chair will count.

Mr. STACK. I withdraw my point of order.

Mr. MURDOCK of Arizona. Mr. Chairman, I have sat through this long debate very attentively and up to this point I have not said one word. I have listened with great solicitude to the solemn tones of the gentleman from Texas [Mr. SUMNERS]. I have heard much emphasis placed upon the character and the motives of the man who leads the majority party, the present occupant of the White House. I have heard him compared, and not in any impious way, with that Man of Calvary who walked the road of sorrow. I have also heard him compared, at least by one speaker, with Lucifer who fell.

Mr. Chairman, it might be well for some of us to search our own hearts and weigh our own motives. That requires us to think more about our own combination of conscience and good judgment rather than of our ability to hold our ears to the ground. However, I do not wish to condemn our proper desire to hear and to please the people. Let me in a brief moment repeat the solemn words of George Washington. At the time when the great convention of 1787 was meeting, Washington took the floor, although he was the presiding officer, and said these few memorable sentences:

It is too probable that no plan we propose will be adopted. Perhaps another dreadful conflict is to be sustained. If to please the people we offer that which we ourselves disapproved, how can we fairly defend our work. Let us raise a standard to which the wise and the honest can repair. The event is in the hands of God.

I believe we as Representatives ought to regard that other side of our representative duty. I am conscious of the fact that in this year of 1938, with its more complicated order of society, I cannot, even though I attempt it conscientiously, depend upon my own judgment nearly to the extent that the fathers did in 1787, neither do I wish, being a good Democrat, to ignore in the least the voice of the people. I should like to know what is the voice of the people. I wish that 99.99 percent of my constituents had possessed the \$1.20 requisite to sending me a telegram on this matter. I also have received some letters and telegrams. Perhaps a few of them were canned, but I believe most of them were sincere, especially where I personally know the sender and that he paid for the message. I give them credit for that and thank my constituency for notifying me of their wishes in the matter. This is what is bothering me. I did not get many telegrams, relatively, and I wonder whether they really represent the voice of the people.

I believe there has been a good deal of sham in the talk. I have heard on both sides of this aisle, but I give my colleagues credit for much sincerity, too. I have heard the President's motives questioned. I have been a great admirer of our President, and I am now an admirer of our President. I do not in the least doubt his motive, but I do somewhat doubt his ability. I doubt it in this respect: That I do not believe there is a living soul who is equal to the emergency at this hour of national crisis. However, I do



believe that our leader at the other end of the Avenue comes nearer possessing the requisite integrity and wisdom to be a sufficient guide at this time of crisis than does any other man in the country.

The opposition apparently do not trust Roosevelt! Well, I do not trust him completely myself. Today I received a telegram which said, among other things, "Save Roosevelt from himself." There may be something to that cry. I sometimes have to be saved from myself. I never go to sleep in a tall building with an open, unguarded window. I never scold anybody in my automobile for telling me of an approaching car or a changing signal which I see while driving but possibly might not have seen. Every human being needs safeguarding for the safety of all concerned. I want us in this bill to give the President adequate power within constitutional limitations, but not too much. I believe this bill may be amended to make it safe and yet effective.

The crying need in governmental reorganization is for the centralizing and placing of responsibility. When a Republican Governor in Illinois brings about such a reorganization, it is written up in political science textbooks as a stroke of statesmanship. Now when the same thing is proposed on a larger scale for the Nation, it is called creating a dictatorship. Let us be sensible about this matter. I know that there are more pressing needs for legislation concerning unemployment at this moment, but let us amend this measure as it needs to be amended for a part of our planning for a better order of things. If this House bill is properly amended along the lines suggested by the committee, it has my support.

One of the advantages of the dual systems of government in this country, by which a part of the functions of government are placed in charge of local units called States, where they may vary according to the needs of that community, new ideas and practices may be tried out on a small scale and tested as to their real worth. Because of that arrangement the States of this Union have been, throughout our history, political, sociological experiment stations. Thoughtful students of American political affairs know and appreciate this fact that many governmental ideas have germinated and have been applied in some State and have later been accepted and improved on here in Washington. My own State of Arizona has been a rich field of political experimentation. If time permitted, I would like to point out some of our newer features of social and political legislation in which my State takes pride, some of which might well be copied here.

For illustration, we have the modern form of the referendum in Arizona, carrying democracy to a little nearer completion by permitting the people to pass judgment upon all important acts of government. Is it any wonder that I, a man coming from Arizona, should look with favor in general upon a referendum upon all important acts of the National Government, even such a thing as a foreign war? I believe in the optional referendum as well as in the compulsory referendum, is a matter of my considered judgment, and not merely because I am at this moment a Representative from Arizona.

Some of the favorite sons of Arizona—of which Gov. Tom Campbell is one—speak with authority in civic matters. I agree with Governor Campbell in his recommendations concerning civil-service organization, the same being embodied in this measure. The need of reorganization is clearly apparent now and has been needed for many years past. This bill contains provisions regarding the civil service which are practically the same recommendations made by the first Republican Governor of Arizona when he later served as head of the Civil Service Commission here at Washington.

The sober judgment of textbook writers on political science and the dispassionate opinion of authoritative students of government in recent years all express the view that our disjointed executive departments in State and Nation need overhauling, with a view to efficiency first and such economy as may be effected. I have taught that view as an instructor in colleges and I am firmly convinced of the soundness of it. True, this implies centralizing power and placing re-

sponsibility. There is no other way out. I feel that it is the needful thing to do in Washington and it remains only a question whether now is the expedient time to do it. Such a program, of course, implies that there shall be adequate safeguards so that the Executive cannot become a dictator. Our necessity requires power placed in proper hands. Our liberties require proper limitations on that power. I do not want a dictator under any guise whether we call him Governor, President, Comptroller General, or Chief Justice, or political boss. Can we shape such legislation to get these benefits and avoid the dangers? If I think you have so legislated in this completed measure, it shall have my vote. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, I realize the hour is late, and I will curtail my remarks from what I had hoped to be able to make.

I particularly wish to refer to the remarks of the gentleman who preceded me. He spoke about hearing the voice of the people and expressed the desire to know what the voice of the people is. I know of no better way to get the voice of the people than to hear from the people you represent on this floor. I have heard from them by the hundreds in the last 10 days or 2 weeks. By watching the mail and watching the telegrams, it is very evident that this is not propaganda. It is an uprising of the will of the people expressed to their elected Representatives. I cannot feel that in western Massachusetts, the district I represent, certainly there was any propaganda. It was the outpouring of the opinion of the people on this legislation. I know of no better way to get that voice than to read the letters and the telegrams. Mr. Chairman, one constituent of mine was so anxious to get his views to me this morning that he sent me a telegram collect, and I paid 62 cents to get his opinion. That is hearing from the people back home with a vengeance.

Mr. Chairman, I should like to make one reminiscence at this point. It so happens that 25 years ago tomorrow in conjunction with some other gentlemen I became a Member of Congress. I have served continuously since that time. The three other men who have that same record at this time are the Democratic majority leader, the gentleman from Texas [Mr. RAYBURN], for whom no one has a higher respect than we, his colleagues; and the able and distinguished chairman of the Committee on the Judiciary, the gentleman from Texas [Mr. SUMNERS], who spoke so magnificently here an hour ago.

I do not know that I can explain, except on the ground of his ability, why these seats are always filled with attentive listeners of the membership of Congress when the gentleman takes the floor. The fourth man in that group is the distinguished gentleman from Michigan [Mr. MAPES], who throughout the years has served his constituency with ability and with an interest only for the welfare of the country. I believe it is no more than right and proper that such an anniversary as I speak of should be referred to at this time.

May I also make this statement: I was sorry to hear our friend the gentleman from Kentucky [Mr. FRED M. VINSON], this morning make what appeared to be his final speech in this House. I hope he will favor the Congress with further remarks, but he seemed to leave the impression—to me, at least—that he did not intend to take the floor again. While he is becoming a judge, we expect he will continue to serve with us until the tax measure becomes law. A conference on that measure without his presence on the committee of conference would hardly seem possible. We want him there. My disagreement with the gentleman's views may at times have incurred his displeasure, but, nevertheless, if there is a fair, square, and upright Member of Congress, he is the man. I feel the judiciary is to be complimented that it will add the name of FRED VINSON to that list of distinguished men in the near future.

Mr. PETTENGILL. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Indiana.

Mr. PETTENGILL. In view of the fact a very sincere disagreement has developed between the gentleman from Kentucky [Mr. FRED M. VINSON] and myself, I am pleased to take this opportunity to second all the gentleman from Massachusetts has said about our distinguished friend from Kentucky. [Applause.]

Mr. TREADWAY. I am sure that would be the inevitable opinion of all who have been associated with the gentleman from Kentucky as intimately as the gentleman who is now rising [Mr. McCORMACK] and I have been associated with the gentleman from Kentucky for so many years on the Committee on Ways and Means. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I am very pleased to hear my distinguished friend make the statement that he hopes the gentleman from Kentucky [Mr. FRED M. VINSON] will remain in the House until the tax bill has been disposed of. I may also say, my friend from Massachusetts having complimented the two Democratic Members and the gentleman from Michigan [Mr. MAPES] who came here with him 25 years ago, that we on the Democratic side appreciate the fact that the gentleman from Massachusetts [Mr. TREADWAY] is a very hard fighter, but an honest and sincere one, and speaking for myself, and I believe I bespeak the thoughts of my Democratic colleagues, we join him in his reference to the other three Members and would also include the gentleman from Massachusetts therein. [Applause.]

Mr. TREADWAY. I appreciate the remarks of my colleague. Now, if I may return to the subject of this long disputed bill for a very brief time and speak in the same spirit that I have been doing for the last 5 minutes, I want to refer to the statement of the majority leader of a few days ago calling upon the House to stand by the President and stating "Whether by our votes we are going to show that we have faith in him."

Mr. Chairman, we are not sent here, as I understand it, by our constituents to stand by the President of the United States, right or wrong. I have heard it expressed many times on this floor, "I am with the President when I think he is right and I am against him when I think he is wrong."

My personal view has been very materially toward the latter tendency during the incumbency of Franklin D. Roosevelt in the White House. I may have voted now and again for some matter that he liked, but, as a rule, I think I have consistently been 100 percent perfect the other way. [Laughter.] We are not sent here to show our faith in him; we are sent here to legislate in behalf of our people; and the President is sent to the White House to carry out the laws which we pass—not to make them. In this case he is making the law. He is proposing the bill that is now before us most actively, even suggesting amendments to it, even getting up at midnight down at Warm Springs and getting the press together and telling them to send out word to offer amendments to the bill, and all that sort of thing.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I would prefer not to yield because I have now gotten back into a field of discussion where I feel a little more at home and my time is quite brief, but inasmuch as I have been reminiscing about the older Members, I will be pleased to yield to the dean of the House.

Mr. SABATH. Is it not a fact that the Constitution provides the President shall make recommendations to the Congress?

Mr. TREADWAY. He should make recommendations, absolutely, but we should maintain the legislative branch of our Government, and I may say in my humble judgment that four-fifths of the Members on the Democratic side if they yielded to their own views rather than to pressure from the White House would vote tomorrow against this bill. [Applause.]

Mr. SABATH. And, fortunately for the country, he always advocates measures that are for the best interests of the country.

Mr. TREADWAY. We have not seen that kind of legislation for the last 5 years. If so, why has there not been some kind of legislation to get us out of the Franklin D. Roosevelt depression? Where are we now as compared with 5 years ago, with \$15,000,000,000 more of debt than we had at that time and 13,000,000 people out of work?

Mr. SABATH. In the last year the various industries have made more money than ever before in their history.

Mr. TREADWAY. I am not saying that our President is trying to become a dictator, but I do say, and I challenge anyone to deny this statement, every bit of legislation from the time he entered the White House to the present day has been along the line of adding to his responsibility and authority and taking authority away from Congress. This is the situation now, and even a few weeks ago it was almost heresy to suggest the word "dictator." What do we find today? That midnight press conference brought on by him to deny that he wants to be a dictator.

Mr. Chairman, it is not often that I am moved to speak more than once on a bill that is before the House. However, the question before us is of such importance and has such far-reaching implications that I feel warranted in taking the floor a second time to express my views.

As the debate has progressed, the one thing that has stood out is the utter lack of any argument in support of the bill. No reasons have been advanced why this legislation should take precedence over much more important matters which are awaiting action by Congress, foremost among which is some plan for getting us out of the present Roosevelt depression.

This tendency toward centralization of power in the Executive is a clear-cut violation of our fundamental law—the Constitution—under which our forefathers wisely divided the powers of the Government between three coordinate branches, each of which was to be independent of the others.

As I have previously stated, the same issue is involved in this bill as was involved in the President's court-packing proposal.

The people are fully aware of this fact. That is why they have become so aroused. That is why Congress has been deluged with expressions of opinion from persons in all walks of life in opposition to this measure.

The people are not going to give up their voice in the Government, which they exercise through the choice of their Representatives and Senators and through their right of petition.

I have seen a great many organized efforts made to influence Congress by letters and telegrams, but never have I seen as spontaneous and earnest expressions on the part of the people themselves as have flooded our offices since this bill has been before us.

The President has stated that the vote in the other body was evidence that its Members could not be "purchased" by organized telegrams.

The converse of that statement would be that a favorable vote on the bill is evidence that Members of Congress can be purchased by patronage, the expenditure of public money, or other bait offered by the administration, not to mention forms of pressure frequently used.

I do not charge that either the proponents or the opponents of this bill can be bought or swayed. I am willing to give each Member credit for voting his convictions, whether he is favorable to or opposed to this bill.

However, I want to caution the Members who are "on the fence," so to speak, against being influenced to support the bill by reason of certain amendments that are going to be offered in an effort to attract votes.

It is certain that the bill cannot be passed in the form reported; hence the leaders have agreed to make certain concessions.

Amid great applause, the majority leader wound up his appeal to the House the other day with the statement that he was going to "walk with the President" on this bill if he had to walk alone.



If the leadership of this House were still insisting that the bill be put through without change, the chances are that he would have been given an opportunity to walk alone.

I call attention to the fact that even if the House passed the bill with the amendments that have been proposed they can readily be eliminated in conference.

When the conference report comes back to the House only 1 hour of debate will be permitted under the rules. There will be no opportunity to expose its provisions.

The proposal to amend the bill so that Congress can disapprove of the President's reorganization plans by a majority vote is an empty gesture. The President himself has stated that such a provision would be unconstitutional. I quote his exact words, as set forth in his letter to an anonymous and perhaps mythical friend:

But there are two cogent reasons why the bill should go through as it is drawn. The first is the constitutional question involved in the passage of a concurrent resolution, which is only an expression of congressional sentiment. Such a resolution cannot repeal Executive action taken in pursuance of a law.

I cannot believe that this House is going to adopt this amendment and then vote for the bill under the assumption that Congress is preserving its legislative powers. The President's own statement shows that such an amendment would be absolutely meaningless.

I, of course, would be glad to see an amendment adopted exempting the Veterans' Administration from the reorganization plan. The present organization, under the able direction of General Hines, has been extremely efficient and free from political domination.

The administration of veterans' affairs is a big enough job in itself to warrant a separate, independent agency. It should remain free from politics.

I am likewise in favor of the amendment that will be offered to leave the Bureau of Education in the Department of the Interior. I am absolutely opposed to any effort to expand Federal control over education. If the Bureau were to be included in the new department of welfare, there is no doubt but that an effort would be made to encroach further into the educational field.

Even though the amendments relating to the Veterans' Administration and the Bureau of Education be adopted, there is no assurance that they will be in the final bill. It is well known that they are being supported by the administration forces merely in an effort to get votes.

If the administration had its own way, we would have a much more drastic reorganization bill than is now before us. To prove this, I need only refer to the terms of the original reorganization proposal as suggested to Congress by the President.

Hence we have every reason to be careful to restrict the powers granted to the President under this measure.

The proposed department of welfare should be very carefully considered. It will have broad jurisdiction and broad powers. It will have immediate control over the spending of three to four billions annually, and this, of course, would only be the beginning. There is no telling how much money it would be spending in a few years.

One outstanding reason why Congress should not provide for this new department is that it would probably have at its head the greatest spender of all times—Harry L. Hopkins.

The proposed department of welfare simply means more taxes to be saddled on the backs of the American people.

Originally, one of the arguments in favor of Government reorganization was that it would perhaps result in certain economies. However, no one has claimed that the present bill would result in saving a single penny. On the contrary, it would probably result in huge additional expenditures, particularly in the proposed welfare department.

Mr. Chairman, in conclusion, let me say that I hope this House will once more demonstrate to the country that it can put principle above partisanship and party loyalty. It has done so in the past, and I trust that it will do so again. Let us show our constituents that we are on the job here in Washington carrying on the duties they sent us here to perform and preserving their voice in the Government. Let

us keep in mind the fact that a vote for the bill, in whatever final form it takes, is a vote against the constitutional rights of the people of the United States.

[Here the gavel fell.]

Mr. MURDOCK of Arizona. Mr. Chairman, I ask unanimous consent to extend my remarks at the point where I concluded my statement of a few moments ago.

The CHAIRMAN (Mr. FLAHERTY). Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. COCHRAN. Mr. Chairman, I yield such time as he may desire to use to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, ladies and gentlemen of the Committee, the reorganization bill under consideration by the committee is a measure that the President and the Democratic Party are morally obligated to put into effect under a pledge contained in the party platform. The strange thing about all of this debate is that it has been brought about as a result of either misunderstanding on the part of many of our most sincere people, or because of fear on the part of employees and friends of the departments or agencies involved in the legislation, or as a result of deliberate and violent misrepresentation of disgruntled individuals and groups, or of Republican partisans who seek to destroy the President of the United States and the Democratic Party.

It is worthy of note that the creation of the department of welfare contained in this bill was passed by the House last August with only 88 adverse votes to indicate the feeble opposition. In 1932 Congress delegated to President Hoover the power to reorganize departments and agencies in the same manner provided in this bill. The bill, in fact, gave the President far more executive power and discretion. The law over the specified period of 2 years extended into the Roosevelt administration, and under the law the President, Franklin D. Roosevelt, reorganized 11 agencies. There was no cry of dictator against Hoover, there was none against Roosevelt, there should not be any question now. In the same month of August of 1937 this authority was extended by action of the House of Representatives with the objection of only 76 votes out of 435.

It is therefore evident that the question of a dictatorship or of the abdication of Congress, or of the shifting of the Bureau of Education, or of the creation of an auditor general, or of redefining any function of any department head or cabinet member as might be authorized by Congress was not involved at that time and is pernicious and partisan now.

This campaign is a coldly calculated and carefully premeditated partisan political challenge, born of desperation and inspired by the Republican Party. It has for its purpose the destruction of President Roosevelt's prestige through a smearing campaign and it is intended through this method to bring about the defeat of the Democratic Party.

If it were not a fact that reorganization is the need of the hour, and that such reorganization was discussed and planned for nearly two score years, the effect upon the party would be of no particular concern of those of us who place the welfare of the taxpayer and of our people in the forefront and ahead of political expediency. Six or seven Presidents before Franklin Roosevelt demanded reorganization and the delegation of the power to reorganize the executive departments. The measures discussed were either identical or as under President Hoover even more power was demanded and granted by Congress than is asked for in the pending measure and more departments were affected. Our people have been led to believe that President Roosevelt is the first and the only President ever to request such authority, or that the Democratic Party never has pledged itself to reorganization of the Government departments. The opposite is in fact true. Both major parties have repeatedly pledged themselves to reorganization and as stated several Presidents have insisted upon the enactment of similar legislation.



The passions of the people have been inflamed, because it was suggested or hinted that under the proposal Congress abdicates and that the President becomes a dictator. In these troublesome times when European dictators are sprouting up like mushrooms this is the psychological time to inculcate fear into our people by inference or by innuendo. Certainly the opponents of the bill cannot point out wherein the bill specifically grants the President the powers of a dictator or where the Congress divests itself of any of its privileges of present or future control. Vicious propaganda is being disseminated to arouse the fear in the hearts of our people with regard to private and parochial education. The veterans are being agitated to believe that the authorization to shift the the Veterans' Bureau would jeopardize their well-being. Civil-service employees have been led to believe that the plan of the President involves the establishment of a spoils system which would undermine the provisions of the present law guaranteeing freedom from political exploitation, uninterrupted tenure, and which would deprive these Government workers of the benefits of the retirement fund. More than that, it is stated that the legislation pertaining to the Comptroller General's office, and the establishment of an auditor general would be a calamity such as has never been visited upon our people heretofore.

The objectives of the bill are the antithesis of the propaganda directed against its adoption.

As regards education, a mere shift from the Interior Department to the proposed new welfare department could not and would not without specific authority in law change its present functions. However, I have always been extremely cautious to the point of suspicion about education and the tampering with this Department. Accordingly, I have worked with my colleague from Massachusetts [JOHN McCORMACK], in this instance as I have on more than one occasion, to strike this provision from the bill. I did so quietly, although effectively, and an agreement with the leadership was arrived at without any difficulty, inasmuch as the President had not intended any shake-up within the Bureau of Education itself. It was quite generally agreed that this Bureau could be quite readily made exempt.

As regards the Veterans' Bureau, I have been a steadfast and consistent friend of the veteran and I have guarded his interest with my very political life. Inasmuch as there was some question in the minds of the veterans, whether justified or not, I have worked for the exemption of the Veterans' Bureau and it is tentatively agreed that the Bureau is not to be included in any shuffle or shake-up. I must add, however, that at no time in connection with reorganization was it intended by either the President or the leadership that the functions of the Veterans' Bureau should be abridged or tampered with.

As regards the civil service, the CONGRESSIONAL RECORD will show that I have not only voted but acted in behalf of our Federal employees, throwing up legal safeguards around their employment which made for stability, certainty, satisfaction, and happiness of these thousands of faithful Government workers. I favor civil service to the extent that Government employees may plan a career through which they may attain high executive positions. As a practical illustration, I have voted for the inclusion of postmasters in all post offices under the civil service, and as a second illustration, I have sponsored legislation bringing into the classified civil service the special-delivery messengers. When these two objectives are eventually realized, the post-office employees will all be included within the provisions of the civil service law and assured of security in their old age under the Retirement Act. It is the intention of the administration under the provisions of this bill to bestow the benefits of the civil service and of the Retirement Act upon more than 200,000 non-civil-service workers of the Government.

The object of the greatest misrepresentation is perhaps that portion of the bill which deals with the reorganization of the Comptroller General's office. Up to the present time under the law the Comptroller General's functions are not only executive but judicial, and further than that he is in

a sense the auditor general. This bill, when it becomes law, will simply separate the auditing from the executive and judicial activities or functions and will place the auditing work in a new department headed by an auditor general. The Comptroller General's department has always met with my approval.

I was one of his most consistent and staunch defenders. But this much must be admitted, that because of the tremendous burdens imposed upon the Comptroller General his office has bogged down completely. It is a matter of record that the Congress has not in the more than 15 years of the existence of this department received a single complete postaudit; and it must be said for the benefit of those who are led to believe that all expenditures are preaudited by the Comptroller General that he has preaudited on the average of about 3 percent or a little over of all Government expenditures. His check-up of disbursing agencies is from 1 to 4 years late and has rightfully been charged with causing inexcusable delay for which not only this, but previous administrations have been condemned. It is intended that red tape and unsound auditing practices should be eliminated under the provisions of this bill. Congress, realizing that the Comptroller General's department was hopelessly overburdened and unable to cope with the problem, heretofore specifically exempted or excluded from his control 19 large governmental agencies. Experts in government are united in saying that the office of Comptroller General as at present constituted is inefficient and unwieldy. Under the provisions of the proposed reorganization bill the Comptroller General will retain his present executive, judicial, and even his preaudit functions, limited only by the requirement that for any question purely of law where neither auditing or fact finding are involved, he must consult the Attorney General. One of the objectives of the reorganization plan is to stop this everlasting collision between the legal departments of the Government and to have one authoritative source of legal advice, and that is the constitutional office of the Attorney General of the United States.

Under existing law we are called upon to witness a most ridiculous practice of the Comptroller General supervising disbursements and then auditing his own actions. This practice would be indeed laughable if it were not so serious. The bill in no way abridges the right of the Comptroller General to preaudit disbursements. The bill provides for an independent audit by the newly created auditor general and he is to be appointed by the Congress and removable by the Congress; while at present the Comptroller General is appointed by the President. He exercises the power of control as well as audit and therefore has been required to devote his time to control and to advise department officials as to expenditures, and as a consequence, due to the load, he was unable to make the best job of both.

I want to revert to a brief discussion of the department of welfare with a Cabinet member at its head. It has been charged, and we will not question the sincerity of those making the charges, that free education would be abolished. The only proof offered in this connection is that within the department of welfare would rest the authority of administration of present laws bearing upon education. To best answer this objection I should like to submit, Mr. Chairman, the statement of the Most Reverend Edward Mooney, Archbishop of Detroit, contained in a telegram which already appears in the RECORD.

The telegram was received by the Right Reverend Monsignor Ready, of Washington, D. C., who was authorized to make it public. It should be noted that the Archbishop of Detroit is the chairman of the National Catholic Welfare Conference, and as such is the spokesman of the hierarchy of the Roman Catholic Church. We quote the archbishop as follows:

If there are any provisions in bill which actually jeopardize Catholic educational interests, please point them out to secretary, National Catholic Welfare Conference. At present I see nothing in bill to expand present functions of Federal educational agencies and therefore to arouse fears in regard to Catholic interests. I am not now urging protest.



This statement by the archbishop is in response to a telegram from a Member of Congress, which we quote:

Reorganization bill now before House sets up department of welfare, which in turn is empowered, in my opinion, to create bureau of education. Possible standards of education inimical to States' rights and private schools may result. If you agree, urge your people immediately to wire protest against measure to their Congressmen. Vote may come this week.

It is quite evident from the foregoing that the Archbishop of Detroit, a brilliant and militant churchman, ever on the alert to protect the rights of his fellow coreligionists and the rights of freedom and liberty of all of our people, could not be misled to accept as true the pernicious propaganda which is pouring in upon Members of Congress. There is nothing in the bill that is wrong or undesirable, but wherever the slightest doubt was aroused in the minds of the leaders suitable amendments exempting or eliminating certain departments or agencies were agreed to and will be advanced to allay the fears of our people. To show the extent to which our newspapers have stultified themselves and the dastardly lies which our so-called free press passed on to its unsuspecting readers as pure and unsullied news, I submit the views of journalists and newspapermen.

I quote Mr. Arthur Krock, of the New York Times:

If the opposition to the Byrnes bill had been kept within bounds of truth and reason, Wall Street and other interests would have paid only ordinary attention to the legislation. The powers it delegates to the President do not bear on anything that is disturbing confidence in this country or depressing business.

Again, Mr. Earl Godwin, of the Washington Times staff, a journalist of note and ex-president of the National Press Club, has this to say:

Continued publication of such deliberate untruths will someday end in disaster. I have read news accounts of debates in the Senate on this reorganization which were completely distorted. I know of a chain of newspapers which received orders to print a certain editorial. One editor refused on the ground that the editorial was completely inaccurate and received the reply, "Print or resign." A free press is a bulwark of freedom, but a press which lies on the order of its owners is already in chains.

There are many of the Nation's foremost newspapers that have retained their composure and after a dispassionate study of the bill gave editorial endorsement to the measure. Some of the foremost newspapers in this country, and right here in Washington, have declared themselves in favor of the reorganization bill.

Mr. Chairman, I have not only advocated, but I have worked for efficiency in government. Here is the opportunity that I have waited for contained in this reorganization bill and inasmuch as Congress has not abdicated, and inasmuch as Congress retains all of its powers under the bill, and inasmuch as any act of the Executive under this bill will be subject to disapproval by a concurrent resolution as provided for in a pending amendment, I say to you that I am in conscience bound to vote for the bill and I am confident of the overwhelming approval of my people. My office has been swamped with countless telegrams, many of them vicious, threatening, and unfair. Many of these individuals have been misled and it is a crying shame that in this day and age agencies, groups, and individuals able to learn the real facts are disseminating either half truths or deliberate lies. There is about as much truth to this propaganda as there was in the pay-envelope propaganda which originated with the Republican high command and which was intended to destroy Roosevelt and the Democratic Party during the campaign of 1936.

This propaganda will have about as much effect. In fact, the same boomerang effect as did the propaganda of that time. President Roosevelt and the Democratic Party are not, thank God, tongue-tied or timid, and when the time comes we will turn back the tide of opposition. We will win back those of our friends who have been misled or coerced, and through concerted action the policies of the President and the Democratic Party will be given the stamp of approval. When the reorganization bill becomes a law, and our schools and our churches and our various governmental agencies

continue to function, even on a more efficient basis, and when the Congress will continue to carry on its constitutional functions for the benefit of all of the people, and when the great office of the President is shown as heretofore to respond to the will of the people, and the dictatorship balloon will have bursted, then will come the reaction and the decimating effect of the vicious propaganda which will further reduce the ranks of the Republican Party in this House, if it does not completely destroy the G. O. P.

Mr. TABER. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. LORD].

#### REORGANIZATION OF GOVERNMENT

Mr. LORD. Mr. Chairman, all of this hue and cry about reform in government is just a smoke screen to get legislation passed to usurp the powers of the Congress. You always want to watch out for reformers.

The proposal of this legislation has stirred the people of this Nation more than any other thing that has been proposed in Congress for many years, unless it was President Roosevelt's proposal to usurp the powers of the Supreme Court. We all remember well the stunning blow he gave our people when he proposed to pack the Supreme Court, and the storm of protest that came up all over our Nation.

Falling in that, the law of time is gradually taking care of the Court. As far back as 1935 and 1936 I became convinced that his managers were seeking more and more power that belonged to the Congress, and that some day we would regret giving it to him.

Now comes this reorganization bill, that will finish the job. He takes over everything that the Congress can give and adds on new functions of government that has no place in our national system and belongs to the local people.

Our schools have always been kept with the people but this bill would place the authority with the President. Welfare, that has always been a local function, would be, by creating a new department, a national function; and all of the changes would tighten up and give one man absolute control.

The President may not want to be a dictator. He says he does not want to be one; he even gets up at midnight to tell it to the people, but then he really has been rather outspoken and decided in his views. He may not want to be one but he will have all of the powers to be one should this legislation pass. We have taken up a whole week debating this bill that cannot help conditions and may cost the taxpayers \$3,000,000,000 a year for all time to come (according to Congressman WOODRUM, Democrat, Virginia) in taxes, besides taking away their freedom to do and act as they see fit. One whole week has been taken up with this legislation and an absolute loss to the people of our Nation when thirteen millions of our people are unemployed—"ill-housed, ill-fed, and ill-clad."

#### PROPAGANDA

It has been charged by proponents of this bill that the letters and telegrams that we are receiving are propaganda. The letters and telegrams I have received are mostly from my district and many are from people I know. I want to quote in part a very few of them. I quote:

Please keep us from further slavery and vote against the reorganization bill.

If you had been in Germany within the last few years you would not hesitate.

Very truly yours,

This is not a malicious letter. I voted for Mr. Roosevelt in 1932 and 1936. . . .

We have had enough reform. Recovery should come first. Nero fiddled while Rome burned. . . . I respectfully request that you vote against the reorganization bill.

Very sincerely,

. . . That word "purchased" gets my goat; yes, they were purchased by the blood and misery of our forefathers.

Hold to the power that God and the America has given you.

Sincerely,

A MOST DISGUSTED DEMOCRAT.

The President's nightshirt renouncement of dictatorship brings to mind the famous quotation, "He who excuses himself, accuses himself."

Yours truly,

The sentiment against the reorganization bill is even more bitter than was the opposition to the Court bill. \* \* \* I hope you can stand squarely against it. I have campaigned for the Democratic ticket for 40 years.

Cordially yours,

I could go on with hundreds of letters from all political parties; and from the hundreds of letters and telegrams that I have received I have had just two favoring the legislation.

Abolishing the Comptroller's office is enough to make the people sit up and think.

Now there is a check on expenditures, and the taxpayers' money can only be expended according to law. This does not please the President, and his way of spending has to be curbed; therefore he wants to repeal the law and appoint a man subject to him and removable at any time that he does not do his bidding.

[Here the gavel fell.]

Mr. LORD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point and include a few brief statements from my constituents.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. COCHRAN. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. PATMAN].

HON. FRED M. VINSON

Mr. PATMAN. Mr. Chairman, I endorse everything that has been said about my good friend and colleague the Honorable FRED M. VINSON, of Kentucky. His leaving to become the judge of a superior court of the United States is a great loss to this House and to the country. We have not always agreed, but as he told you this morning, our differences were fought out in the open, with clean words, by the use of fair and parliamentary tactics and procedure, and when the fight was over, we were just as good or better friends than we had ever been in the past.

#### POWERS UNDER BILL INSIGNIFICANT

If we read the Constitution of the United States and if we read the laws passed by Congress and we determine the powers already possessed by the Chief Executive of this Nation, we shall discover that the powers granted in this bill are very, very insignificant. The gentleman from Massachusetts [Mr. LUCE] stated a while ago that it is not exactly the power that is granted in this bill that is objected to, it is the fact that many of the people do not want the Chief Executive to have any additional power. I have no quarrel with those who oppose the President or oppose his policies; that is their privilege.

#### NEWSPAPERS LEFT IMPRESSION IN 1936 LONDON SURE TO WIN

During the year 1936, if we had listened to the newspapers of this country, we would have believed that Landon would have been elected President instead of Franklin D. Roosevelt, there was so much propaganda. Evidently much of the propaganda that is coming into Congress today is inspired and coming from the same political and selfish sources.

#### REPUBLICANS VOTING AS BLOC

The Republicans have said much about reorganization. They are voting solidly, they are voting as a bloc, it has become a partisan, political question.

#### DEMOCRATS SHOULD NOT HELP REPUBLICANS TAKE A SLAP AT THEIR OWN PRESIDENT

They want to destroy this administration, they want to destroy Mr. Roosevelt. If we were on that side possibly we would take that position. I do not criticize them, but I do criticize a Democrat who for no reason in the world votes against the present administration, the administration that brought us into power.

#### REPUBLICAN PLATFORM FOR SAME KIND OF BILL

Let me read the Republican platform of 1932, and I hope the Republicans listen to this platform, I hope the minority

leader, the gentleman from New York [Mr. SNELL], who has a better New Deal record than many Democrats, I hope he listens to this Republican platform of 1932. It contains this statement:

Efficiency and economy demand reorganization of Government bureaus. The problem is nonpartisan and must be so treated if it is to be solved. As a result of years of study and personal contact with conflicting activities and wasteful duplication of effort the President is particularly fitted to direct measures to correct the situation. We favor legislation by Congress which will give him the required authority.

#### DEMOCRATS SHOULD BE BLAMED

That is what the Republicans said they believed, that they were willing for Hoover to have that power. Notice they say the problem is nonpartisan. I presume they mean when the Republicans are in power. They, the Republicans, say the President should be given the power to correct the situation. Now, however, they are not willing for Mr. Roosevelt to have it and are opposing this bill which would give it to him. I am not blaming them, but I do blame a Democrat who votes against this measure for no good, sound, logical reason. If a Member has a reason that is convincing to his own mind, that is for him to say and not for me to criticize, but I am unable to detect such a reason. Many excuses are given, but excuses are not reasons.

#### USELESS BUREAUS SHOULD BE ABOLISHED

I have read this bill carefully, and I cannot find a good, logical, sound reason why any Democrat should vote against it; in fact, practically every Democrat and Republican representing the people in this Congress have gone before their people and favored consolidating and abolishing all needless, useless bureaus. Certainly this is an opportunity to make a step in that direction. Are you going to vote against it just because there are cries of "More Power!"? More power to whom? You wanted to give more power to Hoover, but you are not willing to give that same power to President Roosevelt. The President has used his powers, I think, in a way the Democratic leaders and the people generally consider wise. We do not criticize him for misusing the powers that he has; many of us have criticized him for failing to use certain powers that he possessed, but never for abusing powers.

#### NOT ONE DIRTY DIME TRACED ACROSS PALM OF ADMINISTRATION LEADERS

Let me invite your attention to this, Mr. Chairman, that out of the billions of dollars that have been spent by people in this administration under the direction of Mr. Roosevelt and Mr. Hopkins and Mr. Ickes, you have not been able to trace one dirty, dishonest dime across the palm of any of them. [Applause.] The Republicans cannot say that. No; this administration has been honest with the people in expending these large sums of money.

#### EXAMPLE OF DUPLICATION OF EFFORT

Let me give you an illustration of duplication of effort. There are 25 divisions of this Government engaged in making maps alone. Just making maps in different departments. Do you not believe that somebody should have the power to bring the map-making divisions together in one group? Why have 25?

#### VETERANS' ADMINISTRATION SHOULD NOT BE EXEMPT

If it were left to me, I would not exempt the Veterans' Administration. It will not be against the veterans' interest to have them under a reorganization bill, and I want to put myself down as opposed to exempting them. They should not be exempted. They have duplication of effort the same as the rest of the bureaus. They should be compelled to be efficient the same as other bureaus.

#### SHOULD PROTECT PRESIDENT AGAINST DETAIL WORK

The Democrats want to help the President, want to protect him, want to save him. He must confer with General Hines about the Veterans' Administration every week. He has 20 different departments like that where every week he must confer with the heads of these independent agencies. So much of his time is taken up with details and with so many minor items that I am sure it weakens him physically and deprives him of an opportunity to give his atten-



tion to matters of greater importance. Occasionally I hear a Member of Congress complain about not getting to see the President about some problem he considers of importance. If detail work that is caused by all these independent agencies are taken off him, he will have more time to give Members of Congress.

If we want to save any President, whether it be Mr. Hoover, Mr. Roosevelt, or anyone else, should we not be willing to consolidate these agencies, 20 of them, under one Cabinet officer, and let them clear through that one Cabinet officer? Then the President will talk to one man and deal with one man who is in a responsible position rather than take the time necessary to deal with 20, 40, 50, or 130 heads of various agencies.

#### REASONS WHY BILL SHOULD BE PASSED

There are many reasons for the passage of this bill. It was advocated by the Republicans under Hoover. They were perfectly willing to have it.

#### EDUCATION WITH RECLAMATION

Let us take, for instance, the Office of Education. Where is it located? It is in the department that has to do with public lands and forestry. It is in the Department of the Interior, down with reclamation. The Office of Education is down there with the Bureau of Reclamation, the Bureau of Indian Affairs, and the department having to do with the Alaska Railroad. Is that the place for the Office of Education? No. Well, why should not the President have the power, just as the Republicans advocated that the President should have the power, to change the Office of Education over to another department and coordinate it with other branches of Government?

#### FOOD AND DRUG DEPARTMENT WITH DIVISIONS THAT ARE CONCERNED WITH HORSES, HOGS, AND FERTILIZER

Let us consider the Bureau of Public Health, which is under the Treasury Department, along with the minting of money and the billions of dollars of gold bullion. The Children's Bureau is in the Department of Labor. The Food and Drug Bureau is under the Department of Agriculture, that has to do with horses, hogs, soil conservation, and fertilizer. May I say, Mr. Chairman, that I can point out dozens of instances where the bureau should be changed around, consolidated, or coordinated in the interest of efficiency, as the Republicans claimed, and in the interest of better government, and I join with them in the statement that the President is the best qualified man to coordinate the activities of this Government. The Republicans were willing to give that power to Hoover, but they are not willing to give that power to Franklin D. Roosevelt.

#### DEMOCRACY IS ON TRIAL

This is an administration measure. I consider it such a measure that if Democrats can possibly do so they should support it. I think it is our duty to protect our party. Democracy is on trial. Do we want communism? Do we want nazi-ism or fascism? No. We want democracy.

If we want democracy, are we willing for democracy to function? We can only have democracy function through an organized government. Are we an organized government? Are we an organized party? If we are we should, on these vital questions that are so important to our party, to our President, and to our country, be loyal to our party that is in power.

#### OUR FATHERS DID NOT INTEND TO LEAVE US A DUPLICATING SYSTEM

One of my good friends said, speaking in opposition to this bill:

I want to maintain the American system of Government given to us by our fathers.

Our fathers did not intend to leave us a system of government that would have duplicating and overlapping agencies and functions, which unnecessarily cost the taxpayers enormous sums of money annually.

ROCK IN ONE END OF SACK, CORN IN OTHER. CANNOT CHANGE BECAUSE FATHER STARTED IT

In regard to not changing anything that our fathers left us, I am reminded of a story. A certain young man had for 10 long years ridden a mule to the gristmill every Satur-

day for the purpose of getting sufficient meal ground for the next week to make the bread necessary for the large family of which he was a member. The miller had observed him coming to the mill in all kinds of weather, under all kinds of conditions, over bad roads, through sleet, snow, and rain and other unfavorable circumstances, always upon the back of the mule, 52 weeks in the year. This miller, feeling sorry for the young man, tried to convince him that it was unnecessary for him to have one-half bushel of corn in one end of the sack and a rock in the other end to balance it upon the mule's back; that instead, he could have a half bushel of corn in each end of the sack and in that way, he would have enough meal ground one Saturday to last his family 2 weeks and he would only have to go to mill 26 times instead of 52 each year, which would save him considerable time including hours waiting in line. This young man did not seem to understand how he could carry this corn without the rock to balance the sack on the mule's back. So the miller took the trouble to pour a bushel of shelled corn in a sack, and tied the end of the sack, divided it into half and balanced it upon the mule's back and tried to explain to the boy that it was absolutely unnecessary to carry the rock to balance the sack. The boy listened a long time, scratched his head and finally said, "I have been carrying this corn to mill this way for 10 years, as the oldest boy in the family. My father was the oldest boy in the family and he carried the corn to the mill, using the same rock that I am using. My grandfather did the same thing and my great grandfather did the same thing using this same rock, and we always had meal in the barrel, and since the system has worked out so good, I am afraid to change for fear we will not always have meal in the barrel."

#### WILL SAVE MONEY

About 25 different departments are making collections of different kinds for the Government. It oftentimes happens that several people representing different branches of the Government are sent to the same little town in one of the 3,072 counties in the United States to perform different little services for our Government that one of these representatives could perform without the least trouble or inconvenience and at a great saving to the taxpayers. If the President is authorized to consolidate and coordinate such activities, it can be done quickly and the people will be saved considerable money.

#### ACTION BY CONGRESS TOO CUMBERSOME

Congress cannot investigate such functions and properly coordinate them because by the time the congressional investigation is over, the activities of the different departments have been changed or Members of the investigating committee have gone out of Congress and interest waned or for many other reasons; therefore, the procedure by congressional action is too slow and cumbersome. The Republicans were absolutely right in their 1932 platform when they stated that the President is particularly well qualified to effect a reorganization of Government departments.

#### DEMOCRATS VOTED TO GIVE HOOVER SAME POWER

Democrats voted to give Mr. Hoover, the President of the United States under the Republicans, this power. Many Democrats are now voting to refuse to give the same power to our own great President, Franklin D. Roosevelt. The Republicans, for political reasons, have changed their minds and are making an effort to change the minds of many Democrats.

#### BILL GREATLY MISREPRESENTED

This bill has been greatly misrepresented. It is no surprise to me that Republicans do not want to give Mr. Roosevelt any additional power for any purpose, but it is surprising that Democrats will follow them in such a selfish political purpose. There is no logical or sound reason, unless political comes within such a category, why anyone should vote against this bill. The most persistent opposition comes from Republicans and anti-Roosevelt Democrats.

QUESTION OF NOT RUNNING OUT ON PRESIDENT, LEADERS, AND  
DEMOCRATIC PARTY

This is not necessarily a question of standing by the President of the United States. It is a question of not running out on him and the leaders of this House and the Democratic Party by joining the inconsistent opposition forces of a solid minority. The minority has a selfish ax to grind. They are inducing many good Democrats to help them grind this selfish ax.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield the gentleman 5 additional minutes.

ARE WE YIELDING POWER?

Mr. PATMAN. Mr. Chairman, the statement has been made here that we are yielding power. I want to make this statement, and I hope the minority leader will listen, because I want him to challenge me on it if he believes I am not making a correct statement.

Are we yielding power? Yes. We are giving the President the power to prevent duplication of effort, the power to coordinate these different activities of government, and the power to promote efficiency.

THERE IS RECOURSE FOR CONGRESS IF POWER IS ABUSED

He has never been accused of abusing the power that has been entrusted to him. Suppose he should. Have we any recourse? Yes, there is recourse. Every year this Congress is called upon to make an appropriation for the next year. The President cannot have a penny to spend unless this Congress appropriates the money. Can we stop an appropriation for a bureau? Certainly we can. Can we stop an appropriation for a department or for a particular item? Certainly we can. It has been stopped before, and if the President should abuse the power, it could be stopped again. Is there anyone here who will deny we have this power if this bill becomes a law? No. That is by a majority vote, too.

CONGRESS WILL HOLD PURSE STRINGS

We still hold the purse strings. Although we direct the President to coordinate the activities of this Government, we hold the purse strings, and say, "Mr. President, we reserve to ourselves the right to make appropriations for these departments and you cannot spend a penny unless this Congress gives it to you." We will pass on everything he has done when we make the appropriations.

PRESIDENT ALREADY HAS CONSIDERABLE POWER

What more power do you want than the power over the purse, which we retain? In connection with the powers of the President, suppose the question of pardons should come up here? The Republicans would doubtless say, "What, give the President the power to pardon all of these convicts, including the power to pardon the 259 hardened criminals on Alcatraz Island?" They would say "no." Yet he does have the power to pardon every convict in every penitentiary and jail in America charged with a Federal offense and no one would take such power away from him. He has never been accused of abusing that power. He has the power over money. He has a 2-billion-dollar stabilization fund, which I have heard the Republicans say is at his disposal, and not even a report to Congress is made. Has he abused that power? He has the power to issue \$3,000,000,000 in money if he desires. Has he abused that power? He has the power to sterilize gold and the power to devalue gold if he wants to. Has he abused that power? He has the power to devalue the gold dollar. Possibly he has not done what you or I would do, but he has done what he believed to be in the interest of the people of this Nation. He has many other powers that make this small delegation of power sink into insignificance.

THIS BILL IN INTEREST OF COUNTRY

I ask you, my friends, and I plead with you, to consider this bill on its merits. It is a meritorious bill. It is in the interest of the people. It is in the interest of Congress. It will prevent duplication of effort. It will cause coordination of the activities of our Government and it is in accordance with the very platform of the party that is now voting unanimously against it. [Applause.]

Mr. COCHRAN. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois, Mr. SABATH.

Mr. SABATH. Mr. Chairman, the gentleman from Massachusetts [Mr. TREADWAY] states that he has received many communications against the pending bill. Still other Members have read here many letters and telegrams from cranks and other misled people.

I have received, within the last 2 days, more than 60 telegrams and 200 letters which I hold here in my hand, and which have come from people who originally asked me to oppose the bill, but who now urge me to disregard their former communications and to support and vote for the bill.

Mr. Chairman, regardless of what the gentleman from Massachusetts said, from the very beginning I have been satisfied that this has been a Republican and big interest inspired and manufactured propaganda. So I had my secretaries check up with the telegrams received by other Members and found that the identical telegrams which I had received had also been received by each of the other Democratic Members.

It is perfectly apparent to me, ladies and gentlemen of the House, that we have reached the time when congressional action must be had to put to an end such outrageous propaganda and lobby abuses as have been practiced during the consideration of this reorganization bill. This politically inspired propaganda outrageously maligns the President merely in order to misrepresent the reorganization bill.

ARTIFICIALLY INSPIRED PROPAGANDA HAS GROWN TO BECOME A GREAT  
AND DANGEROUS INSTITUTION IN THIS COUNTRY

Mr. Chairman, though lobbying was practiced when I first entered the House 32 years ago, I never dreamed it would attain to the efficiency and arrogance to which the membership has been subjected in the last 4 years. Some years ago when the so-called institutes were organized, I believed their formation was for legitimate purposes and no one thought they would degenerate into conniving trade bodies and as propagandists for special legislation and for the dissemination of false publicity. The fact is that they have, with few exceptions, degenerated into wholesale lobby institutions to bring ridicule upon Congress and to defame the fair name of the President and all those who are co-operating with him in an honest and sincere effort to bring about the enactment of needed legislative relief.

I thought that the propaganda against the Security Act 4 years ago had reached its limit, but I now realize that it was only the beginning, as it afterward increased in ferocity with the consideration of the holding-company bill on which over \$3,000,000 was expended by the power companies in their opposition, as disclosed by a congressional investigation. The peak, however, was not reached until their planned opposition was leveled against the Court bill which, while it failed of passage, accomplished its purpose and had a wholesome effect in stopping the Supreme Court from unconstitutionally usurping the power of Congress and assuming the power to say what legislation shall remain effective.

Mr. Chairman, about 6 months ago, in the hopes of forcing the repeal of the capital-gains tax and, if possible, the excess-profits tax, and to prevent the passage of the wage and hour bill, a still greater concentrated propaganda was launched. To add force to this propaganda the Wall Street gang and industrial leaders, whose 1936 and 1937 returns disclosed even greater profits than in the banner days of 1928, in many instances willfully and deliberately restricted their operations, thereby increasing the unemployment for the purpose of instilling fear in the minds of the smaller manufacturers in order to obtain their cooperation in the propaganda for the repeal, as I have stated, of the capital-gains and excess-profits tax.

And again, Mr. Chairman, within the last few weeks, the opponents of the President, in the hope and belief that they would bring about the defeat of the pending bill to reorganize and coordinate the many overlapping bureaus and departments to effect not only efficiency but economy, have fathomed every possible objection to its many provisions, grossly misrepresenting and, in many instances, deliberately falsifying the effect of the provisions. Not only have thousands



of well-entrenched Government employees aided them but the Republican press and the enemies of President Roosevelt have endeavored, through the columnists, propagandists, professional publicists, and professional lobby organizations, to strangle this meritorious legislation. They are repeating their unfair and unjust lobby opposition as they did against security, holding, Court, capital-gains, and surplus excess-profits tax, and wage and hour legislation. Though I consider this propaganda the most vicious of them all, I am sure they have overplayed it to such an extent as to make it ridiculous.

Mr. Chairman, I know that each and every Democratic Member, the same as myself, have received hundreds of telegrams and thousands of letters. I took time last night with my secretaries to sort and analyze these telegrams and communications and I find that they emanate from similar sources and only two of them from my district. One of them from a manufacturer who worked his men, women, and children employees in 1932 from 10 to 12 hours a day, paying the women and children from \$3 to \$4 a week and the men \$6 a week. A great many of the letters and telegrams were from girls and women, no doubt employed by propaganda and lobby establishments. Most of the other letters and telegrams were from the so-called gold coast and exclusive silk-stocking residential suburbs, like Evanston, Wilmette, Winnetka, Lake Forest, and Hubbard Woods. There are some from Riverside Drive and Park Avenue, New York City, and a few from the Wall Street district, but nowhere were they so abundant as from Peoria, Ill., the home of the Canadian manufacturer of "new-age process" hooch.

If I were a betting man, I would wager our former Republican colleague, the manager of this Canadian-owned institution, has footed the cost in the sending of most of these telegrams. Among others which I have received is one from N. Whitney, a name well known to me in my investigation of the stock exchange, and, by strange coincidence, I received, almost simultaneously, a telegram from one Clarence Sucker. Another was received from one Thomas Nutt, of Evanston, and I actually believe he gave his true name. In fact, there were many communications from that place. I have one signed by Miss Catherine, Miss Helen, Miss Adeline, Miss Ollie, Miss Julia, and Miss Ann, all of the same address in Chicago. They are fearful as to business and the future of America. I note their telegram was sent at 1:55 a. m. They surely must be hard-working ladies. Another telegram is from the Kuhn family. I wonder if Kuhn is the Kuhn who is the representative of Mr. Hitler; and if so, why is he fearful of dictatorship and afraid that my vote on this bill will bring about the Hitler type of government?

Mr. Chairman, it is indeed queer that only in a few instances have the senders of these letters and telegrams given their addresses.

**A FEW SAMPLES OF THE MANY COMMUNICATIONS RECEIVED FAVORING THE REORGANIZATION BILL**

I do not desire unnecessarily to encumber the RECORD with the great volume of communications that I have received within the last couple of days favoring this reorganization legislation, and will therefore content myself with submitting but a few samples. Among the many that I have here is a telegram from Mrs. Anita McCormick Blaine, one of the outstanding women of Chicago as well as one of the noblest ladies in America, pleading for our favorable action on this bill, and which reads as follows:

Hon. ADOLPH J. SABATH,  
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN SABATH: With the crying need of simplification and better organization of the mechanics of the Nation's business, it will be too bad if the President's determination to accomplish this act is lost through fear and the general effects of fear of the word "dictator," which could have no real foundation among us.

This work has been talked of through many administrations, but has hung fire without result.

One man now proposes to start what 535 have not and probably could not do.

CHICAGO, ILL., April 5, 1938.

I would strongly urge that you look at the fundamentals and leave aside the externals and, safeguarding the bill, of course, for the democratic process, that the Congress now make a start on this vitally important work.

It would be always subject to modification and improvement as time goes on.

Respectfully submitted.

ANITA MCCORMICK BLAINE.

I also desire to include another telegram which only within the last 10 minutes I received from Mr. P. A. Nash, the Democratic national committeeman for Illinois, which reads:

I urge you and all the other Democratic Members of the House to work and vote for the reorganization bill, and to remain in Washington until a vote is taken. In the meantime the organization will protect your political interests at home.

Also, I have been called on the long-distance telephone by Mayor Edward J. Kelly of Chicago, who made the same urgent request. Members will realize that because the Illinois primaries, in which all of us stand for renomination, are to be held next Tuesday, that it is but natural that we should be glad to be in our respective home districts just at this time. But we are here today, and shall remain here until a vote is taken on this legislation which we consider so important not only to the people of our own State, but to the entire Nation.

And here are a few additional letters, samples of those received in the last few days from Chicago and elsewhere, and which speak for themselves and do not require any explanation from me:

426 BRIAR PLACE, CHICAGO, ILL.

Hon. A. J. SABATH,  
House Office Building, Washington, D. C.

DEAR CONGRESSMAN SABATH: The voters, including the writer, are thinking for themselves. We don't need Father Coughlin. Support our President's reorganization bill by voting "yes" on this important history-making step of the Democratic Party.

Sincerely yours,

J. H. LABZER.

CHICAGO, ILL., April 6, 1938.

JUDGE SABATH: Your Honor, we still believe that President Roosevelt is well able to finish the job and believe that you are behind him 100 percent.

We believe the Constitution protects the small man as well as the large one. Let our President know his enemies are not the workers, but the higher-ups that don't want Americanism to be practical.

Respectfully yours,

Rev. C. A. DAVIS,  
1620 Ruble Street, Chicago, Ill.

FEDERATION OF ARCHITECTS, ENGINEERS, CHEMISTS,  
AND TECHNICIANS, AFFILIATED WITH THE COMMITTEE FOR INDUSTRIAL ORGANIZATION,  
Washington, D. C., April 4, 1938.

To all Congressmen:

HONORABLE SIR: The Federation of Architects, Engineers, Chemists, and Technicians with a membership of 7,500, many of these employed in Federal civil service, strongly urges that you vote for the passage of S. 3331, the reorganization bill now being considered before the House. We ask that you duplicate the action of the Senate in passing this bill so that it can be enacted into law.

The bill, we feel, would allow for greater efficiency and economy in government, and would allow changes to be made which would coincide with the needs of our times. No barrier should be placed in the way of these reforms which would enable us to cope with the pressing problems of the day.

Again may we express our hope that you will take favorable action when the final vote on this bill comes before the House.

Very sincerely yours,

MILTON FISCHER,  
Legislative Representative.

CENTRALIA, ILL., April 3, 1938.

Hon. ADOLPH J. SABATH,  
Member of Congress, House of Representatives,  
Washington, D. C.

MY DEAR MR. SABATH: Whether our form of government shall long endure depends on whether it can adjust itself to the rapidly changing times and function efficiently, justly, honestly, and for the benefit of the whole people. Personally, I believe that democracy is the best form of government and that it can be efficient and scientific without being dictatorial. Selfish interests both from within and from without do not want efficiency in the Government services because they profit on the spoils and at the expense of the people of an inefficiently functioning government. An efficiently functioning government serves the people best.

The administration's reorganization bill now before the Congress is an attempt in the right direction. Support it. Remember that efficiency in the Government service and scientific management of the executive departments are not synonymous with dictatorship, nor can they lead to it, but to a better Government of, by, and for all the people.

Remember, too, it is always in the people's power to elect the right kind of an American for the Presidency. Why not be watching out for that, and be seeing to it that the executive departments be so organized that the President can work and the people be served properly? At the present time the President's own departments hinder him. They are sufficient to themselves and are very grave liabilities to the Nation. Please support with all your might the administration's reorganization bill now before the House.

Sincerely yours,

H. P. K. AGERSBERG.

Mr. COCHRAN. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. KLEBERG].

Mr. KLEBERG. Mr. Chairman, I take this brief time to call your attention to one phase which has escaped both the discussion in the United States Senate, where this bill or a similar one was considered, and the debate here in the House, where the House bill is now under consideration. A number of matters have been brought into the general debate which I seriously feel to have been out of place, out of order, and confusing. The matter of partisanship, after having been injected many, many times throughout the debate, was again brought into the debate by my distinguished colleague the gentleman from Texas [Mr. PATMAN], a dear friend of mine, whom I esteem as I do many others who have discussed this bill with an attitude of partisanship. The principal objection I have to the consideration of this bill, from my standpoint as a humble Representative in the Congress of the United States, is the confusion and the heat with which this great deliberative body is called upon to come to a decision which may have portentous results far beyond the imagination or best thought yet expressed in this body.

Mr. Chairman, Republicans, Farmer-Laborites, Progressives, Communists if they come to the Congress of the United States, Socialists if they come to the Congress, or members of whatever other political persuasion come to the Congress of the United States, take the same oath of office to uphold the Constitution of the United States, and there have been 150 years of indications of what that Constitution stands for. It seems to me partisanship and every other conflicting thing which might add confusion to the final reaching of a decision as portentous or momentous as this decision should be left out if consideration is to result in sound conclusion.

Another matter has been injected into this discussion. Accusations are hurled here and there and everywhere that one who speaks against this bill is attempting to destroy the Democratic Party and the present administration. Everything is based on the idea that when a man speaks against this bill he does so because of a definite lack of confidence in the present Chief Executive.

Let me read a statement on confidence that I think may be apropos at this time. The average citizen may say his confidence in the man of his choice, his elected Representative, is his protection, but in the famous Kentucky Resolutions, participated in by Thomas Jefferson, appears this statement by Thomas Jefferson on confidence:

It would be a dangerous delusion were a confidence in the men of our choice to silence our fears for the safety of our rights. Confidence is everywhere the parent of despotism; free government is founded in jealousy; not in confidence. It is jealousy and not confidence which prescribes limited constitutions, to bind down those whom we are obliged to trust with power. Our Constitution has, accordingly, fixed the limits to which, and no further, our confidence may go. In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution.

This quotation is from the Kentucky Resolutions, Ford Edition, volume 7, page 395 (1798).

The fundamental verity thus stated by Thomas Jefferson, who some folks say was a Democrat, is truer today in this momentous hour, I venture to say, than it was when he gave utterance to it in that period. At that time the American people had recently gained the right to function under a Constitution which, I repeat, for 150 years by its interpreta-

tion by both Republicans and Democrats established in this country a representative democracy.

There is a great difference between a pure democracy and a pure representative government. In the case of a pure democracy all questions would be left to the people, who would be called upon to decide upon such questions themselves by referendum or otherwise.

The best example of a pure representative government, without a written constitution, is the English Government. But the founding fathers of this country conceived it to be in the best interest of the governed people that our Government should consist of the best policies and principles found in both representative and pure democratic government. If we are to continue as we have up until this suggestion and the suggestion made on another occasion at the beginning of an emergency which has been much discussed here, the suggestion of President Hoover, if we are to continue to have a representative democracy, we had better beware of the omens of a change by which such a government might be converted, through carelessness, lack of vigilance, and lack of attention to the fundamental verity I quoted from Thomas Jefferson, to an entirely different type of government.

Various Members have talked about dictatorships. Some have talked about this, that, and the other proposition. I have no fear of the thought of dictatorship being in the mind of the present President of the United States or the minds of those who favor this bill or oppose it, but I do have a fear of fixing upon the Congress of the United States by permanent legislation a situation by which we will have established an executive bureaucracy which, in my candid opinion, has more vicious future potentialities than the dictatorships which have heretofore been discussed on the floor of the House. Witness the situation as regards the provision in this bill with reference to the Comptroller General. The appointment of that gentleman and his tenure of office are entirely within the power of the Executive.

Time will not permit a careful and detailed discussion of the bill, which I have read carefully. The greatest shock I had during the entire afternoon of debate was to find my distinguished colleague, the gentleman from Texas [Mr. SUMNERS], following a masterful presentation of true facts in a dispassionate way, reaching the conclusion that as clever a piece of legislative legerdemain as is contained in this bill could be amended properly on the floor of the House, in the atmosphere that has permeated this debate, and that the American people could be expected to be served efficiently by such a process or procedure.

I have the most profound admiration for him as a statesman and as a man. My friendship for him is equally as deep. So, I repeat, it came as a shock to me to find him of the opinion that this bill could be amended into a measure that would conform in the end to the true principles of our kind of government.

This bill is permeated with language which permits various constructions. It is shot through with the fine handwriting of experts in the art of evading explicit and concise meaning. Under the most careful reading in the House, and amendment during same, I conceive it to be impossible to make of it other than a hopeless hodgepodge.

Better far to do the job all over from a proper start to a sound conclusion.

Therefore, Mr. Chairman, when the time comes tomorrow, if a motion is presented by the gentleman from New York to make a constructive amendment to this particular administrative proposal, I shall vote for the motion to strike out the enacting clause, and it will be my pleasure to vote for a resolution empowering the present reorganization committee to act for this House in bringing forward a bill whereby the Congress could act on each and every provision thereof and have that bill come up, if it is desired, by having the President of the United States send recommendations piecemeal as to reorganization of the Government by congressional action.

[Here the gavel fell.]



Mr. TABER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. KLEBERG. The thing I object to in this bill—and I want to make myself clear—is, first of all, the very patent change from a representative democracy to what could be nothing other than executive bureaucracy; and, lastly, I want you Members to think of these seven thoughts that have occurred to me in connection with this bill:

First. Does Congress have the right to pass on all changes affecting the various departments and bureaus?

Second. Should Congress control the right, and keep it, to control the purse strings, which right it would lose, in my opinion, under the comptroller clause of the bill?

Third. Congress should give serious thought to the suggestion that a one-man civil-service head is better than a three-man Commission.

Fourth. The fixation of a permanent relief policy—an admission that under representative democracy this Government cannot function unless it has a permanent agency to take care of the distressed who are denied equality of opportunity which, under the Constitution, we are supposed to give them.

Fifth. In that same department of welfare, which I mentioned with reference to the relief policy, I find a situation suggestive of the theory that the States have outlived their usefulness in taking care of local problems, a doctrine to which I will not subscribe.

Sixth. What is the psychology of this present bill in the face of the present recession?

I want you Members to think of these questions, and the last question is, when you get right down to brass tacks, What could be done with these powers under a different, future President unknown to us, operating under this as permanent law?

We have the sworn duty to keep such powers as we have under the Constitution, and I repeat that we, the Congress, have not the right to surrender these rights in the interest

of those whom we represent and in the interest of the traditions and institutions represented by that flag, the Stars and Stripes. [Applause.]

Looking back to the meeting of Congress in 1931 in December, when I took the oath which should bind us all, I can see mistakes of the Congress during the period since then in which I participated. I state it as my considered judgment that I am in full accord with the remarks of our distinguished colleague and my learned friend, Mr. SUMNERS, up to that point where he reasoned against the motion of the able gentleman, my friend from New York, to strike out the enacting clause.

In all fairness the Congress cannot be held blameless for the condition which now confronts us. Under the lash of emergency since March 1933 Congress has delegated broad powers to the Executive, which is responsible for the increase in overlapping and possible need for thorough revision and reorganization of Government agencies, and so forth.

The President's authority as head of the executive and administrative branch has been expanded far beyond constitutional contemplation, providing for three coordinate branches of government. Lawmaking by Executive order and by administrative regulation has been countenanced to an unprecedented and most unbelievable degree.

Facts regarding Executive orders issued under the present administration for a given period are:

First. Executive orders issued between March 1933 and July 1935, around 1,250.

Second. Administrative orders by officials under authority of Executive orders in this period run into thousands.

Third. Many Executive and administrative orders have the force of law and many are punishable by fine and even imprisonment.

Fourth. The attached tabulation shows many new agencies and additional branches of existing agencies and departments which have been created by Executive order. Congress should ponder over this list without having to be told so to do by the executive head of our Government.

*Certain Federal agencies created since Mar. 4, 1933 (original purposes and functions, and other information)*

New agency	Authority	Agency replaced	Original purpose	Original functions
Farm Credit Administration (created Mar. 27, 1933, Executive Order No. 6084).	Agricultural Adjustment Act (48 Stat. 51). Farm Credit Acts of 1933, 1935, 1937 and amendments (48 Stat. 257, 1263, 49 Stat. 316, 1912, and 50 Stat. 717). Federal Farm Mortgage Corporation Act (48 Stat. 344). Public Act No. 11, Feb. 20, 1935 (49 Stat. 28). Executive Orders 7126, 6440, and 6084. Public Act No. 644, June 4, 1936 (49 Stat. 1461). Public Act No. 3, Jan. 29, 1937 (50 Stat. 5).	Federal Farm Board (created June 15, 1929, 46 Stat. 11, replaced Mar. 27, 1933, Executive Order 6084).	"* * * To provide a complete and coordinated credit system for agriculture * * *"	Makes long-term first-mortgage loans to farmers and cooperative marketing and purchasing organizations and provides short-term credit for local production-credit associations.
Agricultural Adjustment Administration (created May 12, 1933, 48 Stat. 31). <sup>1</sup>	Agricultural Adjustment Act and amendments (48 Stat. 31, 528, 670, 973, 1058, 1223, 1241; 49 Stat. 45, 281, 750, 801, 1151, 1539, 1925; and 50 Stat. 246). National Industrial Recovery Act (48 Stat. 199). Public Act No. 86, Jan. 25, 1934 (48 Stat. 337). Cotton Control Act and amendments (48 Stat. 598, 911, 1184; and 49 Stat. 570). Executive Orders 6860, 6440, and 7260. Tobacco Control Act (48 Stat. 1280). Executive Orders 6182, 6207, 6345, 6551, 6764, and 7174. Repeal of Tobacco, Cotton, and Potato Acts (49 Stat. 1106, 1163).	None	"To relieve the * * * national emergency by increasing agricultural purchasing power, to raise revenue * * * to provide relief to agricultural indebtedness, to provide for * * * liquidation of joint-stock land banks * * *," etc.	Carries out an agricultural-production-contract program borrowing money on commodities under lien to the Government, making option contracts with agricultural producers, providing rental or benefit payments, etc.; makes marketing agreements and issues licenses for the handling of such commodities; levies and collects processing taxes; issues farm-loan bonds; refinances farm mortgages; and makes loans to farmers and fruit growers, and to joint-stock land banks for the orderly liquidation of such institutions.
Federal Emergency Relief Administration (created May 12, 1933, 48 Stat. 56).	Federal Emergency Relief Act of 1933 (48 Stat. 56). Emergency Relief and Construction Act of 1932 and amendments (47 Stat. 709 and 48 Stat. 351). Executive Orders Nos. 6442, 6603, 6639, 6709, 6735, 7174, 6420-B, 6440, 6983, 7028, and 7034. Emergency Relief Appropriation Acts of 1935 and 1936 (49 Stat. 115, 1608).	None	"To provide for cooperation * * * with the several States * * * in relieving the hardship caused by unemployment * * *," etc.	Controls State administration of the provisions of the Federal Emergency Relief Act, 1933 (48 Stat. 55), conducting studies or investigations on the problem of unemployment relief, and making grants to the States for relief purposes.

[Footnotes at end of table]

Certain Federal agencies created since Mar. 4, 1933 (original purposes and functions, and other information)—Continued

New agency	Authority	Agency replaced	Original purpose	Original functions
Federal Emergency Administration of Public Works (created June 16, 1933 (48 Stat. 200)).	National Industrial Recovery Act (48 Stat. 200). Executive Orders Nos. 6166, 6174, 6198, 6221, 6251, 6252, 6470, 6637, 6929, 7064, 7056, 6777, sec. 1, 6868. Emergency Relief Appropriation Acts of 1935 and 1936 (49 Stat. 115, 1608). Executive Orders Nos. 7102, 7174, 7347. Public Works Administration Extension Act of 1937 (50 Stat. 357).	Federal Civil Works Administration (created Nov. 9, 1933, Executive Order No. 6420B). <sup>1</sup>	"To reduce unemployment and restore purchasing power through the construction of useful public works."	Provides for the construction, repair, and improvement of public highways, buildings, and any publicly owned facilities; administers the conservation and development of national resources, the control, utilization, and purification of waters, the correction and prevention of soil and coast erosion, and the improvement of rivers and harbors; and provides for low-cost housing and slum clearance and the construction of naval vessels and aircraft, etc.
National Recovery Administration (created June 16, 1933, 48 Stat. 195). <sup>2</sup>	National Industrial Recovery Act and amendments (48 Stat. 195 and 49 Stat. 375). Executive Orders 6764, 6433A, 6750, 6440, 6527, 6439, 6551, 7120, 7076, 7075, 7252, 6543A, 6750A, 6723, 6590A, B, 6637, 6632, 6771, 6860, 6859, 6889A, 6993.	None.	"To encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works * * *", etc.	(The President) May prescribe conditions and approve or establish codes of fair competition for trade or industrial associations or groups; may investigate the importation of competitive articles affecting a code and prescribe terms of importation and license importers; may license businesses to effectuate a code; may exempt a code from the antitrust laws; may prescribe a limited code of fixing maximum hours of labor, minimum rates of pay, and other conditions of employment in a trade or industry; may delegate any of his powers and functions regarding trades or industries handling any agricultural or competing commodity, to the Secretary of Agriculture; may initiate proceedings to regulate oil pipe lines, to fix transportation rates, and to prevent monopoly in the transportation of oil; may prohibit the transportation in interstate or foreign commerce of oil or oil products in excess of the amount permitted by State law or regulation; may create a Federal Emergency Administration of Public Works to prepare a program of public works and to carry out the program and make necessary grants to States and other public bodies for public works projects; may make grants to State highway departments for highway construction; and may establish agencies to make loans for and otherwise aid in the purchase of subsistence homesteads.
Federal Housing Administration (created June 27, 1934) (48 Stat. 1246).	National Housing Act and amendments (48 Stat. 1246, and 49 Stat. 298, 1157, 1233, and 50 Stat. 70). Executive Orders 7126, 7280, 7058, 6880A.	None.	"To encourage improvement in housing standards and conditions, to provide a system of mutual mortgage insurance * * *", etc.	Insures banks, trust companies, building and loan associations, and other financial institutions against credit and loan losses and makes loans to them for the purpose of financing repairs and improvements upon real property; handles property exchanged for debentures and certificates of claims under the National Housing Act; provides for the establishment of national mortgage associations to purchase and sell first mortgages and issue notes, bonds, etc.; and makes surveys to guide the development of housing and the creation of a sound mortgage market.
Farm Security Administration (created Apr. 30, 1935, Executive Order 7027).	Emergency Relief Appropriation Act of 1935 (49 Stat. 115). Executive Orders 7027, 7028, 7041, 7143, 7197, 7200, 7496. Public Act No. 845, June 29, 1936 (49 Stat. 2035).	The functions, etc., of the Resettlement Administration were transferred to the Department of Agriculture by Executive Order 7530, Dec. 31, 1936, and the name of the agency changed by memorandum 732 of the Secretary of Agriculture, Sept. 1, 1937, to the Farm Security Administration.	"* * * to administer * * * resettlement of destitute or low-income families * * * initiate and administer a program * * * with respect to soil erosion, stream pollution, sea-coast erosion, etc. * * * to finance * * * the purchase of farm lands and necessary equipment * * *"	Administers rural rehabilitation, soil and sea-coast erosion, stream pollution, reforestation, flood control, and other useful projects; makes loans to farmers to finance the purchase of land and equipment, formulates land-use programs, and establishes forests, grazing and recreational areas, and wildlife preserves for land improvements.
Works Progress Administration (created May 6, 1935, Executive Order 7034).	Emergency Relief Appropriation Acts of 1935 and 1936 (49 Stat. 115, 1608). Executive Orders Nos. 7034, 7046, 7177, 7119, 7157, 7203, 7204, 7296, 7086, 7083, 7060, 7125, 7164 (5), and 7226.	None.	"* * * to move from the relief rolls to work on * * * public works projects or in private employment the maximum number of persons in the shortest time possible."	Operates a program of useful work projects to provide employment for unemployed on relief.
Puerto Rico Reconstruction Administration (created May 28, 1935, Executive Order 7057).	Executive Orders 7057, 7180, and 7493.	None.	"To initiate, formulate, administer, and supervise a program of approved projects for providing relief and work relief and for increasing employment within Puerto Rico."	Same as Works Progress Administration.

[Footnotes at end of table]



Certain Federal agencies created since Mar. 4, 1933 (original purposes and functions, and other information)—Continued

New agency	Authority	Agency replaced	Original purpose	Original functions
National Youth Administration (created June 26, 1935, Executive Order 7056).	Emergency Relief Appropriation Acts of 1935, 1936, and 1937 (49 Stat. 115, 1608 and 50 Stat. 353). Executive Orders Nos. 7123, 7096, 7101, 7164, 7319, and 7086.	None	"To initiate and administer a program of approved projects * * * for persons between the ages of 16 and 25 years * * * who are no * * * longer in school * * * and who are not * * * in remunerative employment."	Provides funds for the part-time employment of needy students between the ages of 16 to 24, and of out-of-school youth between the ages of 18 to 24; and provides vocational training within an apprentice training program for use in connection with certain trades.
Rural Electrification Administration (created May 11, 1935, Executive Order 7037).	Emergency Relief Appropriation Act of 1935 (49 Stat. 115). Executive Orders Nos. 7037, 7130, 7107, and 7458. Rural Electrification Act of 1936 (49 Stat. 1353).	None	"To initiate, formulate, administer, and supervise a program of approved projects with respect to the generation, transmission, and distribution of electric energy in rural areas."	Makes loans for the construction of rural electric distribution systems; finances the wiring of the premises of persons in rural areas and the acquisition and installation of electrical and plumbing appliances and equipment; and carries out a 10-year program according to the act of May 20, 1936 (49 Stat. 1363).
Federal Alcohol Administration (created Aug. 29, 1935, 49 Stat. 977).	Federal Alcohol Administration Act (49 Stat. 977). Liquor Tax Administration Act (49 Stat. 1964). Executive Orders Nos. 6474, 6576, 6683, 6778, and 6829.	Federal Alcohol Control Administration (created by Executive Order 6474, Dec. 4, 1933; replaced Aug. 29, 1935, 49 Stat. 987).	"To further protect the revenue derived from distilled spirits, etc.; to regulate interstate and foreign commerce and enforce the postal laws with respect thereto; to enforce the twenty-first amendment, * * * etc."	Issues business permits for the importation, sale in interstate or foreign commerce, and manufacture of distilled spirits, wine, or malt beverages; regulates the labeling, handling, advertising, and distribution of the above; and takes steps to prevent monopoly within the industry.
Prison Industries Reorganization Administration (created Sept. 26, 1935, Executive Order 7194).	Emergency Relief Appropriation Acts of 1935 and 1937 (49 Stat. 115 and 50 Stat. 353). Executive Orders Nos. 7194, 7202, and 7649.	None	"In cooperation with * * * the several States * * * to conduct surveys * * * of the * * * activities carried on by the several penal and correctional institutions of the States * * *; to * * * formulate * * * a program of projects with respect to reorganizing and reorganizing the existing prison industries systems * * *; and to * * * provide an adequate and humane system of rehabilitation * * *"	Develops, in cooperation with the States, programs of reorganization and replanning of their prison systems; recommends to the President the making of loans or grants to the State for effectuating such programs; and supervises their administration.

## BOARDS

Central Statistical Board (created July 27, 1933, Executive Order No. 6225, and July 25, 1935, 49 Stat. 493).	National Industrial Recovery Act (48 Stat. 195). Executive Orders Nos. 6225, 6700, 6718, 7003, 7076, and 7278. Public Act No. 219, July 25, 1935 (49 Stat. 493).	None	"* * * to formulate standards for and to effect coordination of the statistical services of the Federal Government * * *"	Investigates and makes recommendations with respect to statistical work carried on by the Federal Government; plans and promotes the economical operation of agencies engaged in statistical work; reviews plans for statistical inquiries proposed by Federal agencies; and serves as a clearing house through which the statistical activities of one agency can be brought to the attention of others.
National Resources Board (see National Resources Committee) (created June 30, 1934, Executive Order 6777).	Executive Orders Nos. 6777, and 7055.	National Planning Board of the Federal Emergency Administration of Public Works, created July 20, 1933, by administrative order, replaced June 30, 1934, by Executive Order No. 6777; and the Committee on National Land Problems, created Apr. 28, 1934, by Executive Order No. 6693, replaced June 30, 1934, by Executive Order No. 6777.	"* * * to prepare and present to the President a program and plan of procedure dealing with the physical, social, governmental, and economic aspects of public policies for the development and use of land, water, and other national resources * * *"	See functions of National Resources Committee.
National Railroad Adjustment Board (created June 21, 1934, 48 Stat. 1189).	Railway Labor Act of 1926, amended as follows: National Railroad Adjustment Board (48 Stat. 1189). Executive Orders 6832, 6892, and 7005.	None	"* * * to have jurisdiction over disputes involving * * * an employee or group of employees and a carrier or carriers * * * concerning rates of pay, rules, or working conditions * * *"	Receives petitions concerning disputes, conducts hearings, and makes awards in the solution of disputes according to the provision of the Railway Labor Act, as amended. (See 48 Stat. 1185.)
National Mediation Board (created June 21, 1934, 48 Stat. 1193).	Railway Labor Act of 1926, amended as follows: National Mediation Board (48 Stat. 1193, and 49 Stat. 1189).	Board of Mediation (created May 20, 1926, 44 Stat. 579, replaced June 21, 1934, 48 Stat. 1193).	To mediate * * * a dispute between an employer or group of employees and a carrier * * * in certain cases * * * concerning changes in rates of pay, rules, or working conditions * * *"	Mediates disputes, and failing, attempts to induce the disputants to submit to arbitration; and keeps on file employer-employee contracts of common carriers, etc.
Railroad Retirement Board (created June 27, 1934, 48 Stat. 1287, and Aug. 29, 1935, 49 Stat. 970).	Railroad Retirement Act and amendments (48 Stat. 1283, 49 Stat. 970, 1097, and 50 Stat. 307). Executive Orders 7239 and 7342.	Railroad Retirement Board (created June 27, 1934, 48 Stat. 1283).	"To provide a retirement system for railroad employees, to provide unemployment relief * * *," etc.	Takes steps to enforce the payments and obligations required under the Railroad Retirement Act (40 Stat. 970); requires such advances upon the payments of carriers as necessary to put the act into operation; compiles data and at intervals of not more than 2 years makes actuarial surveys to determine annuity payments, etc.; and requires all carriers and employees to furnish the information and records necessary.
National Labor Relations Board (created July 5, 1935, 49 Stat. 451).	National Industrial Recovery Act and amendments (48 Stat. 195, 1183). Executive Orders Nos. 6763, 6858, 6905, 7074, 7090, and 7121. National Labor Relations Act (49 Stat. 451).	National Industrial Labor Board (see 48 Stat. 1183, and 49 Stat. 451).	"To diminish the causes of labor disputes * * * obstructing interstate and foreign commerce * * *"	Issues cease-and-desist orders to prevent specified unfair labor practices in interstate and foreign commerce; decides upon the organization unit for the purpose of collective bargaining; certifies employee representatives or ascertains their names by secret ballot; and conducts hearings, investigations, etc.

[Footnotes at end of table]

Certain Federal agencies created since Mar. 4, 1933 (original purposes and functions, and other information)—Continued

## BOARDS—continued

New agency	Authority	Agency replaced	Original purpose	Original functions
Social Security Board (created Aug. 14, 1935, 49 Stat. 536)	Social Security Act (49 Stat. 635). Executive Order 7366.	None.	"To provide a system of Federal old-age benefits, * * * to enable the several States to make more adequate provision for aged persons, blind persons, dependent and crippled children, maternal and child welfare, public health, and the administration of their unemployment compensation laws," etc.	Determines policy under the Social Security Act; approves State welfare plans; certifies to the Treasury grants-in-aid for approved plans and Federal old-age-benefit payments to individuals; and conducts studies to discover the most effective methods of providing economic security through social insurance.

## COMMISSIONS

Securities and Exchange Commission (created June 6, 1934, 48 Stat. 885).	Securities Exchange Act of 1934 and amendments (48 Stat. 881, and 49 Stat. 1375), Public Utility Act of 1935 (49 Stat. 806). Executive Order 6889A.	None.	"To provide for the regulation of securities exchanges * * * operating in interstate and foreign commerce * * * to prevent inequitable and unfair practices * * *," etc.	Supervises the registration of security issues and the suppression of fraudulent practices; and regulates transactions and trading in outstanding securities, and public utility holding companies.
Federal Communications Commission (created June 10, 1934, 48 Stat. 1064).	Communications Act of 1934 and amendments (48 Stat. 10, 64, 49 Stat. 1099, 1475, and 50 Stat. 56, 189). Public Res. No. 8, Mar. 15, 1935 (49 Stat. 43). Executive Order 6779, 6889A.	Federal Radio Commission (created Feb. 23, 1927, 44 Stat. 1162, replaced June 19, 1934, 48 Stat. 1102).	"To provide for the regulation of interstate and foreign communications by wire or radio * * *," etc.	Requires common carriers to submit for public inspection schedules of charges for interstate and foreign wire or radio communication; conducts hearings and prescribes charges, regulations, etc., to be followed by carriers; issues certificates of authorization for line extensions and licenses for radio communication or the transmission of energy; and generally regulates and supervises radio stations, granting permits for the construction of new stations, etc.
National Bituminous Coal Commission (created Aug. 30, 1935, 49 Stat. 992, and Apr. 26, 1937, 50 Stat. 72).	Bituminous Coal Conservation Act of 1935 (49 Stat. 991). Bituminous Coal Act of 1937 (50 Stat. 72).	National Bituminous Coal Commission (created Aug. 30, 1935, 49 Stat. 992).	"To stabilize the bituminous coal mining industry * * *,"	Formulates and enforces a bituminous coal code; establishes minimum and maximum prices; conducts research on the bituminous coal industry and provides statistical data for the administration of the act; requires producers to conform to certain standards; supervises the marketing of coal by voluntary cooperative associations of producers; and generally promotes and regulates interstate commerce in bituminous coal.
United States Maritime Commission (created June 29, 1936, 49 Stat. 1985).	Merchant Marine Act of 1936 (49 Stat. 1935, and 50 Stat. 57,759, 839). Executive Order No. 6166.	United States Shipping Board Merchant Fleet Corporation (created Feb. 11, 1927, 44 Stat. 1083, dissolved June 29, 1936, 49 Stat. 1987).	"To further the development and maintenance of an adequate and well-balanced American merchant marine * * *," etc.	Projects, in cooperation with the Navy Department, a long-range program for replacements and additions to the American merchant fleet and for its adaptation to national defense requirements; investigates and reports on a wide variety of subjects concerned with the American merchant marine and with foreign shipping; subsidizes through the use of a construction fund the building and sale of vessels, finances the reconditioning or reconstruction of vessels in certain cases; and carries out the provisions of the act of June 29, 1936 (49 Stat. 1985).

## MISCELLANEOUS

Tennessee Valley Authority (created May 18, 1933, 48 Stat. 58).	Tennessee Valley Authority Act of 1933 and amendments (48 Stat. 58, and 49 Stat. 597, 1075). Executive Orders Nos. 6161, 6162, 6440, and 6839-A.	None.	"To improve * * * the Tennessee River; * * * provide for reforestation and the proper use of marginal lands * * * agricultural and industrial development * * * national defense by * * * the operation of Government properties at and near Muscle Shoals * * *,"	Maintains and operates the Government properties at Muscle Shoals; constructs dams to provide navigation, control floods, and produce power; experiments with the production, etc., of fertilizers; and surveys and plans for the use of land and other natural resources, erosion control, reforestation, and the promotion and coordination of industry and agriculture in the Tennessee River watershed.
National Archives (created June 19, 1934, 48 Stat. 1122).	National Archives Act and amendments (48 Stat. 1122, and 49 Stat. 1821). Federal Register Act (49 Stat. 500). Executive Order No. 7298.	None.	"To establish a National Archives * * *," etc., for " * * * archives or records belonging to the Government of the United States (legislative, executive, and judicial) * * *,"	Inspects the records of governmental agencies and requisitions for transfers to the custody of the National Archives those records, etc. contained in the classes of material defined by the National Archives Council; makes an annual report to Congress of all accessions; and makes regulations for the arrangement, custody, use, and withdrawal of the archives.

[Footnotes at end of table]



Certain Federal agencies created since Mar. 4, 1933 (original purposes and functions, and other information)—Continued

MISCELLANEOUS—continued

New agency	Authority	Agency replaced	Original purpose	Original functions
Civilian Conservation Corps (created June 28, 1937, 50 Stat. 319).	Executive Orders Nos. 6126, 6147, 6160, 6200, 6208, 6684, 6724, 6766, 6787, 6910B, 7029, 7034, 7046, 7060, 7070, 7083, 7151, 7157, 7158-A, 7190, 7334, 7195, and 7223. Emergency Relief Appropriation Act of 1935 (49 Stat. 115). Public No. 82, May 29, 1935 (49 Stat. 311). Civilian Conservation Corps Act (50 Stat. 319).	None.	"For the purpose of providing employment, as well as vocational training, for youthful citizens * * *, for war veterans and Indians, through the performance of useful public work in connection with the conservation and development of the natural resources of the United States * * *."	Carries out projects of public interest such as the protection, restoration, utilization, and maintenance of natural resources, the prevention and control of forest fires, forest-tree pests and diseases, soil erosion and floods, etc.
National Emergency Council (created Nov. 17, 1933, Executive Order 6433-A).	Executive Orders Nos. 6202-A, 6433-A, 6770, 6860, 6889-A, 6513, 7065, 7003, 7120, and 7034. Emergency Relief Appropriation Act of 1935 (49 Stat. 115). Executive Orders Nos. 7073, and 7649. Public Resolution No. 47, June 29, 1937 (50 Stat. 353).	"* * * volunteer field agencies * * *." (See Executive orders opposite.)	"* * * for the purpose of coordinating and making more efficient and productive the work of the numerous field agencies * * * for * * * carrying into effect * * * the National Industrial Recovery Act, the Agricultural Adjustment Administration Act, and the Federal Emergency Relief Act * * *."	Provides for the orderly presentation of business to the President; coordinates interagency problems of organization and activity of Federal agencies; cooperates with any Federal agency in performing such activities as the President directs; and serves in a general advisory capacity to the President.
National Resources Committee (formerly National Resources Board, created June 7, 1935, Executive Order 7065).	Executive Order No. 7065. Emergency Relief Appropriation Act of 1935 (49 Stat. 115).	National Resources Board (created June 30, 1934 by Executive Order 6777, replaced June 7, 1935, Executive Order 7065).	"* * * to provide a means of obtaining information essential to a wise employment of the emergency appropriation * * *." (1935, 49 Stat. 115).	Prepares for and recommends to the President plans, data, etc., for a planned development and use of land, water, mineral, and other national resources; cooperates with Federal and other agencies in research and other activities; and acts in a general advisory capacity concerning Federal projects involving land acquisition, transfer of jurisdiction, and research.

<sup>1</sup> Held unconstitutional by the Supreme Court Jan. 6, 1936.

<sup>2</sup> No record of discontinuance found, probably by order of the Administrator.

<sup>3</sup> Held unconstitutional by the Supreme Court May 27, 1935.

<sup>4</sup> Formerly the Resettlement Administration.

<sup>5</sup> Held unconstitutional by the Supreme Court May 6, 1935.

<sup>6</sup> Held unconstitutional by the Supreme Court May 18, 1936.

<sup>7</sup> Previously under authority of "Emergency Conservation Work." (See Executive Order 6101 and 48 Stat. 22.)

Sources: Statutes at Large, Executive orders, United States Government Manual, The Budget, Digest of the Purposes of Current Federal Agencies (prepared by the United States Information Service). (Karl Metz and Curtis Christiansen, Dec. 16, 1937.)

There seems to me, after a review of this list of bureaus and agencies created in a part of the present administration's two terms, that it would have been more consistent for the Executive to utilize the already great power he still has to this end, before coming with a plea for still more power, coupled with the request that Congress create the additional department of welfare called for in this bill.

Mr. Chairman, there should be developed the trend of thought which has to do with the coordinate but independent carrying out of the theory of the Constitution. It must be defended from the inroads of regulations by these numerous bureaus which ignore it and the expressed will of the people through their representatives in the Congress.

Mr. Chairman, unless we can develop a remedy through so creating a high responsibility to the people as their representatives in this body by performing our duties according to the true republican principles of our Government, unless we defend our powers and exercise them in conscience and honor in these times of stress, representative government is doomed, and by our action.

In conclusion may I say with malice or reproach toward none in this or any other part of my remarks, Mr. Chairman, we do not want autocratic or despotic government. We want a representative democratic government—the able servant, not the master of our people. We do not want fascism or nazi-ism, communism, or socialism. We do not want red shirts, black shirts, or any particular color of shirt. What we want is the good old-fashioned, long-wearing brand of American shirt. We want a revival of the democracy of the Constitution through a real representative branch of the Government not totally divested of its service apparel. Let us make Congress the real welfare department of the United States of America.

Mr. TABER. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Chairman, the gentleman from Texas [Mr. PATMAN] and other gentlemen on the other side of the aisle, have stated, if I understood them correctly, and stated repeatedly, that those who supported the 1932 reorganization bill by so doing voted to give the former Chief Executive greater power than is requested in the bill now under consideration.

I want to say, Mr. Chairman, that I served as a member of the Committee on Expenditures in the executive departments which reported that bill. I worked shoulder to shoulder with my good friend, the distinguished gentleman from Missouri [Mr. COCHRAN], who sponsors this legislation, to secure the enactment of that bill. The bill was enacted into law and under it substantial results might have been accomplished had it not been for the blanket veto by this House a year later of each and every Executive recommendation that was submitted to this Congress.

I want to read, Mr. Chairman, one clause that was included in that bill. It has been read before, but in view of the statement just made I want to read it again:

*Provided further, That if either branch of Congress within 60 calendar days shall pass a resolution disapproving of such Executive order, or any part thereof, such Executive order shall become null and void to the extent of such disapproval.*

Mr. Chairman, I submit that no one can read that clause included in the 1932 bill and fairly deny that anyone voting for that legislation voted to reserve the veto power over all Executive recommendations not only to the Congress as a whole but to either body of the Congress.

The bill under consideration reserves no veto power. To say that those voting for the 1932 bill intended to grant more power than that requested here is simply to state something which is not the fact.

Mr. Chairman, I do not speak as one unfriendly to reorganization. I have believed for years that reorganization was desirable in the interest of economy and efficiency.

I cannot, however, support the bill under consideration. I cannot support a measure which, in my judgment, carries with it an immense additional delegation of legislative power to the Chief Executive. I am opposed to the bill and intend to vote in favor of the motion which is to be offered tomorrow by the gentleman from New York [Mr. O'CONNOR] to strike out the enacting clause. [Applause.]

Millions of Americans in my judgment are deeply concerned by the threat of ever-increasing power in the hands of the Chief Executive. They are deeply concerned by the apparent willingness of Congress in its desire to support the Chief Executive, to continually subordinate its own best judgment to his, thereby failing completely to exercise the independence of thought and action which Congress was intended to exercise by the framers of the Constitution and by the electorate.

These Americans in my judgment are hoping against hope for a change in this respect. They are hoping against hope for a reassertion of congressional independence and for constructive action which will contribute to leading the Nation out of the economic and financial morass into which we seem to be sinking deeper and deeper as the days and weeks go by.

We are today confronted by the fact that 11,000,000 Americans are unemployed, that 5,000,000 more are on a part-time basis, that 4,000,000 families are on the relief rolls of the Nation, that America stands No. 13 on the list of Nations of the world in terms of reemployment. In my opinion we could make no greater contribution to the morale of the Nation at this time than by affording definite and unmistakable evidence that the hope for the reassertion of congressional independence is to be a reality.

We are told, Mr. Chairman, that the question involved in the measure before us is a question of confidence in the Chief Executive. The distinguished majority leader, the gentleman from Texas [Mr. RAYBURN], based his entire plea last Friday on this argument. How far is this argument to be carried, Mr. Chairman? Carried to the extreme it would call for the resignation of the entire Congress if the suggestion should be made by the Chief Executive. The argument surely did not appeal in the other body to 26 outstanding Democratic Senators who worked and voted against the measure. The argument surely did not appeal to the distinguished senior Senator from Massachusetts, Senator WALSH, who characterized the measure as "plunging a dagger into the very heart of democracy." I do not believe that the argument will appeal to organizations representing millions of Americans who have protested against this measure including, the American Federation of Labor, the National Grange, Government workers, veteran, patriotic, civil service, social justice, and other outstanding organizations.

The issue, as I see it, Mr. Chairman, is not a partisan issue. It transcends any possible question of partisanship. It is an issue which goes to a fundamental question of American government. It is the issue of the preservation of the independence and essential powers of the legislative branch of the National Government. If there be those who believe that the passage of this legislation is in the national interest by all means let them support it but let us settle the question on its merits and on no other basis.

It is impossible for me personally to support the bill in its present form. It is impossible for many reasons.

I am opposed for example to the reorganization provisions which it carries.

I cannot escape the memory of the original draft of the Brownlow report early in 1937, so drastic in its terms and purpose that it was not allowed to see the light for more than a day or two. Under its provisions the President would have been given the power of life and death over executive and quasi-judicial agencies alike. He would have had the power to annul laws enacted by Congress and to appoint without confirmation by the Senate. The proposal would have stripped the Congress of vast legislative powers, vesting them in the White House.

The bill in its present form is, of course, a great improvement as compared with the original proposal. It still car-

ries with it, however, in my judgment, the surrender of legislative power which is entirely unnecessary with a view to achieving the desired reorganization, power which in fairness to ourselves and to the Nation we ought not to surrender.

I quote in this connection a single sentence from a letter received under date of March 30, 1938, from the American Federation of Labor:

We object most seriously to the sweeping delegation of congressional authority to the executive branch of the Government and we cannot understand how anyone interested in maintaining our form of Government can propose or vote for it as in our opinion the Congress ought to retain all its constitutional authority in conformity with democratic procedure and democratic government and that said power ought to be broadened and extended instead of being curtailed or surrendered.

I want, in this connection, Mr. Chairman, to refer to another bill enacted early in 1933 as evidence of the danger involved in the sweeping delegation of legislative power. I refer to the so-called economy bill enacted at the request of the President in the face of a national emergency. In that instance, as in this, the wisdom of delegating the legislative power involved was questioned. In that instance, as in this, a letter was received from the Chief Executive. For the benefit of those who were not here at that time, I quote the following sentence from the letter:

If the Congress chooses to vest me with the responsibility, it will be executed in the spirit of justice to all, sympathy to those who are in need, and of maintaining inviolate the basic welfare of the United States.

This was the assurance, Mr. Chairman, and what was the result? We are all familiar with it. Those charged by the President with the duty of applying the power delegated to him performed their task so drastically, so unfairly that an outcry broke out from coast to coast. Why, Mr. Chairman, the compensation of World War veterans who were battle casualties, never intended to be reduced, was cut in certain instances to the extent of 68 percent. It was necessary for Congress to undo what had been done by the executive branch of the Government and it was necessary to undo it by not only passing legislation but by passing that legislation through both Senate and House over a Presidential veto.

Many a Member expressed on the floor after that experience his regret at having supported the original measure and his determination not to place himself in a similar position again. And yet, Mr. Chairman, in respect to reorganization, we are asked by this bill to do that very thing.

In this instance, as in that, we have a letter from the President. In the midnight letter from Warm Springs the Chief Executive indicates that a resolution by Congress in opposition to Executive action would be persuasive. He does not state that it would be controlling. He states that it would be controlling "in the overwhelming majority of cases" provided it reflects "carefully considered congressional action" and provided further that some legislative situation does not arise "where the President would feel obligated to veto the resolution."

Mr. Chairman, if reorganization is to be undertaken as it should be in my judgment in cooperation between the executive and legislative branches of the Government, it is the legislative branch and not the executive branch which should retain the power of veto.

There are other reasons which make it impossible for me to support the bill in its present form which may be referred to briefly.

I am opposed for example to the provisions in reference to the civil service. Experience in the Treasury Department, experience in Government service abroad, years ago, convinced me of the incalculable value to any government of the experience of those devoting their lives to a civil service based on merit. The future of our Government, in my judgment, depends in large measure upon the development and strengthening of that type of career service which is not dependent upon political consideration.

The measure before us, as I see it, would reduce the legislative safeguards for the civil service and constitute a further surrender of legislative power in this connection.



The safeguard of a bipartisan commission is to be thrown overboard. In its place is to be substituted a single administrator, dependent for his tenure of office upon the Chief Executive. The Chief Executive is to be given large powers. Among these is the power to exempt from and cover into the classified service; the power to extend the provisions of the Classification Act; the power to prescribe and to define additional classification services and grades and to fix the ranges of compensation for such grades; the power to establish schedules of differentials in rates prescribed by the Classification Act; the power to exclude from the provisions of the Classification Act; the power to appoint experts and consultants and to fix their salaries; the power to promulgate such rules as may be necessary under the act. I have not heard one convincing reason for the elimination of bipartisan control. I cannot read the civil-service provisions of the bill without feeling that their adoption will tend to undermine the merit system and to deny to more than 800,000 Federal workers the assurance of position and promotion based upon merit. I find myself in accord in this connection with the views of the distinguished chairman of the Civil Service Committee, the gentleman from Georgia [Mr. RAMSPECK].

I am opposed also to the provisions in respect to the Office of the Comptroller General. More than 8 years' experience on the Appropriations Committee of the House has given me the conviction that an independent Comptroller General with the power of preaudit has meant the saving of millions and millions of dollars and constituted the greatest possible safeguard against unauthorized expenditure for the people of the country as a whole. Only recently I called attention to the fact that the Comptroller General had found no less than 5,000 instances of unauthorized expenditure, aggregating \$11,000,000 for a single Federal agency, the Tennessee Valley Authority.

The proposals in the bill under consideration look to the curtailment of the power of the Comptroller General and to that extent constitute a further surrender of legislative power over Federal expenditure.

What is needed, Mr. Chairman, in my judgment, is not less power for the Comptroller but more power in order that he may function even more effectively as the agent of the Congress. Our colleague, the gentleman from Indiana [Mr. PETTINGILL], has dealt with this aspect of the measure with particular ability.

Part 3 of title I of the pending measure calls for the creation of a department of public welfare. Under its terms the secretary of welfare is to "promote public health, safety, and sanitation; the protection of the consumer; the cause of education; the relief of unemployment and the hardship and suffering caused thereby; the relief of the needy and distressed; the assistance and benefits of the aged and the relief and rehabilitation of the physically disabled; and in general coordinate and promote public health, education, and welfare activities."

The proposal would create a great, new executive department tending to make permanent in the structure of our Government agency after agency set up temporarily, on an emergency basis, and carrying with it the alarming possibility of Federal control or regulation of our educational system. I have often paid my respects to the distinguished gentleman from Virginia [Mr. WOODRUM]. I have long believed him to be one of the ablest Members of the House. In his remarks on this bill he has estimated that the creation of this new department would increase the annual expenditure of the Government by from one to three billions of dollars. In the light of present information, Mr. Chairman, I cannot support the proposal for this new department. I prefer at this time to take my stand with the gentleman from Virginia [Mr. WOODRUM], the gentleman from Ohio [Mr. LAMNECK], and the gentleman from Georgia [Mr. TARVER], who have emphasized its dangers so strongly.

Mr. Chairman, this bill comes before us without any real explanation of why it is so urgently needed, or why it is so urgently needed at this time.

It comes before us with no adequate hearings. It is admitted that no opportunity was given in respect to the civil-service proposals to Members best informed in this connection to be heard. It is admitted that no opportunity was given in respect to the Comptroller General proposals to former Comptroller General McCarl, who filled that position for 15 years, to be heard. It is admitted that no opportunity was given in respect to any of the proposals to any one of the great organizations representing millions of Americans referred to at the outset of my remarks to be heard.

The bill, Mr. Chairman, in my judgment, should not be passed. At best, it should be recommitted for further study, with instructions to the committee in charge to hold open hearings, at which all who desire may be heard.

The outstanding problems of reemployment and recovery in the light of the present depression challenge the immediate attention of the Congress. I appeal to the Members of the House to devote themselves to these problems. I appeal to them not to surrender unwarranted legislative power to the Chief Executive. I appeal for the retention and preservation of those legislative powers which are essential to the maintenance of our American form of government. [Applause.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Maine [Mr. BREWSTER].

Mr. BREWSTER. Mr. Chairman, there has been a suggestion of partisanship in the consideration of this matter. I shall seek to guide my words along lines that cannot be questioned upon this score.

Mr. Chairman, there was an expression of fear as to the attitude regarding the President—suggestions from Members on the majority side whom I hold in very high regard—that some were trying to destroy the President of the United States. In my judgment it is not possible for the Congress to do that. That will be done either by his record or by the considered action of the people who, after all, are the final power that we here recognize. Certainly the concern which has obviously been manifested in recent weeks regarding this legislation has not sprung from anything this mere minority could say. Whatever might have been suggested from partisanship has long since lost its force. That seemed to be demonstrated rather conclusively in the campaign of 2 years ago.

The people then with the rising tide of business activity expressed themselves as content. To what extent that was the result of stimulation by enormous expenditure of borrowed funds has become evident in the sharpest decline this country has ever known in its business activity, and with that has come this rising tide of doubt as to the course we have pursued. Many of us over here joined in those early days in providing for the very extraordinary powers that were conferred, for the extraordinary sums, the astronomical sums that were voted in order to bring us out of the difficulties of that depression. Now, as we find ourselves once again back where we were 5 years ago with 12,000,000 unemployed but from fifteen to twenty billions further in debt, it is not to be wondered that the people are growing restless.

Last week under the assurance of a member of the committee that this matter would not come up I went back to Maine and there upon the street and in every contact I had I found very great concern. I came hurriedly back here to participate if I might. I, too, was overwhelmed with wires from back home, and half of those wires were from people not of my political persuasion, who were expressing to me their very great concern. To what extent the experience of last year on the Court proposal laid the foundation for this doubt is a matter about which a variety of opinion may be held, but what do we have to do? We talk about previous proposals of reorganization. I am quite ready to go along with anyone in carrying out the provisions of the Republican planks of 1932 and 1936 to which reference was made earlier today but what do we find? We find specific legislation—not authorization—vitality

affecting the Comptroller General and the civil service; and it is to those that I wish to address what few minutes I have left. A tub was thrown to the whales in the shape of concessions—the concurrent resolution, on the cause of education which disturbed very many people, and finally on the Veterans' Bureau. Those pressure groups received at least temporary recognition and seeming satisfaction.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. BREWSTER. I yield.

Mr. McCORMACK. The question of Federal control of education, as the gentleman knows, is not involved in this bill.

Mr. BREWSTER. I know—

Mr. McCORMACK. In all frankness, in all fairness, does not the gentleman know that no question of Federal control of education is involved in this bill?

Mr. BREWSTER. That question did not give me concern.

Mr. McCORMACK. No.

Mr. BREWSTER. But the gentleman knows very well that it gives many millions of Americans very great and very honest concern.

Mr. McCORMACK. Yes; but it was not involved in this bill.

Mr. BREWSTER. I have stated my position, that, in my judgment, I did not feel concerned.

Mr. McCORMACK. That it was not involved in this bill. There is no expansion of existing law with reference to the powers of the Federal Government along the lines of education.

Mr. BREWSTER. I have very great respect for the ability of the gentleman from Massachusetts to use language. I think he knows very well why a great many of his own constituents were concerned.

Mr. McCORMACK. But the gentleman is quite adept himself in the use of language. I asked a specific question. The gentleman has not answered. Does the gentleman admit there is no question of Federal control of education involved in this bill? Is not that right?

Mr. BREWSTER. Will the gentleman agree with me that in the present condition of this country it would be much better if we addressed ourselves to restoring 12,000,000 people to employment than to quibble over words?

Mr. McCORMACK. Is the gentleman answering my question by asking another question? Is the gentleman begging the question, or does he not want to answer it?

Mr. BREWSTER. I have answered the gentleman that it did not give me concern. Is not that a fair answer?

Mr. McCORMACK. I know, but I am not discussing the question of a fair answer, I am discussing the question of an answer.

Mr. BREWSTER. Then I will say to the gentleman that in view of the many developments of the past 5 years I think we had better stick pretty close to the existing powers and to existing language.

Every time we use more words heaven alone knows where they will lead us. That is why thousands of the gentleman's constituents were vitally concerned.

Mr. McCORMACK. The gentleman has not answered the question yet.

Mr. BREWSTER. Will the gentleman repeat the question?

Mr. McCORMACK. Will the gentleman admit that there is no question of Federal control of education involved in this bill?

Mr. BREWSTER. I will not.

Mr. McCORMACK. The gentleman will not?

Mr. BREWSTER. No.

Mr. HEALEY. Will the gentleman yield?

Mr. BREWSTER. I yield to the gentleman from Massachusetts.

Mr. HEALEY. If it did, of course, it would be unconstitutional?

Mr. BREWSTER. I cannot follow the gentleman in that statement.

Mr. HEALEY. The gentleman has in mind the Oregon case, in which the Supreme Court decided it was unconsti-

tutional to place any restrictions upon educational institutions that children may have to attend?

Mr. BREWSTER. That applied exclusively to the laws of Oregon and not to a Federal power.

Mr. HEALEY. The gentleman laid it down as a general proposition that it was illegal to pass any laws, either State or National, restricting the education of children.

Mr. TABER. Will the gentleman yield?

Mr. BREWSTER. I yield to the gentleman from New York.

Mr. TABER. It is well understood that the program of those underminers is to procure Federal grants to States in aid of education conditioned on their compliance with the rules of an autocrat.

Mr. McCORMACK. May I call the gentleman's attention to the fact that a Department of Education bill is introduced by a Republican at every session of Congress?

Mr. TABER. What difference does that make?

Mr. HEALEY. It is never introduced by a Democrat.

Mr. BREWSTER. Mr. Chairman, I can very well understand the concern of both the gentlemen from Massachusetts about this matter, and I trust they will be able to satisfy their constituents that there was no danger involved herein. So far as I am concerned, I believe that this is no time to stir up the people further with contentious matters of this character, which have been agitated for many years but are now coming to a crisis at a most unhappy time.

I want to turn to another subject if the gentleman will yield me a little additional time.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. BREWSTER. Mr. Chairman, I want to refer to the Comptroller General and to the remarks of the gentleman from Kentucky, who will soon leave us to take on judicial robes. I found difficulty in following him when he said that, in the first place, the powers of the Comptroller General were unconstitutional, but, in the second place, there was no change in the powers that were accorded under this bill, and, in the third place, the limitations that were to be placed by the rulings of the Attorney General were altogether desirable. The statements seemed to be contradictory.

Mr. Chairman, I want to go more to the fundamentals of the question. Either the Comptroller General today has power or he has no power. If he has no power, why all the fuss? If he has power, then why is it desired that it should be curtailed? The gentleman from Kentucky said it did not matter whether he had a 15-year term or held office simply at the sufferance of the President. That was his contention and he made an impassioned plea that the character of American citizenship was such that no man would be affected in his decision even though the sword of Damocles in the power of Presidential removal was suspended over his head. That was an eloquent peroration, but I could not help remembering all the time he appealed to us in such moving terms that the gentleman is very shortly to enter a position comparable in responsibility and power to that of the Comptroller General—who will carry out the will of this Congress and say that all executive power shall yield to it.

I note that the gentleman from Kentucky will shortly enter a shrine where he will be protected in his judicial duties by the sanctity of a life term. I would very much prefer to argue my case before a judge of that character and depend upon his solution, no matter how highly I may regard his patriotic purpose. That is why I do not desire to see the Comptroller General in any way find his powers diminished or his term made subject to political termination by one whom he may cross. I desire to see him continued as the guardian of the rights of the people and the Congress. They say we got along without him for 120 years, but it was out of all that experience that finally the Comptroller General and his powers were brought into being. I think we would be following a very unwise course if we turned backward to the days during which that Office and that power was created.



Mr. Chairman, I want also to speak of the civil service. Certainly it has been bipartisan from its inception. I asked for the figures as to the record of the civil service and I was somewhat surprised and gratified at what I found. It was created in 1884. It had a most remarkable expansion under Democratic administrations. Under the Cleveland administration the percentage of classified civil service employees in the Government grew from 20 to 40 percent. Under the succeeding Republican administrations it went up to 60 percent in 1912. Then under the administration of Woodrow Wilson it rose to 80 percent. In other words, under the last two Democratic administrations of this country—preceding the present one—each administration advanced the cause of the classified civil service by 20 percent.

What has happened in the last 6 years? The civil service has gone back to 1913. It has declined from 80 percent, at which this administration found it, to the 60 or 62 percent that prevails today. I want to urge upon my brethren on this side of the aisle to consider very carefully whether that record of steady progress of the civil service under previous Democratic administrations is not a thing they should hold in increasingly high regard and whether or not the concern of the people is not to some extent a result of the steady disintegration of the civil service in the past 5 years.

When we supplant with a single administrator the bipartisan board that for 50 years has carried the civil service to ever greater heights, I cannot but recall my visit last Sunday at the shrine of Thomas Jefferson. I ask that you consider some of the lessons his life has taught us. I hope when you come to consider this matter, at least the present provisions of law regarding the civil service and the Comptroller General will be left inviolate. [Applause.]

Mr. COCHRAN. Mr. Chairman, I yield such time as he may desire to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Chairman, during the first day of the several days of debate on the reorganization bill I attempted in the brief time allotted me to make my position clear on the pending bill. I stated at that time that I had consistently advocated governmental reorganization for many years and made it plain that I believe thoroughly in the principle as well as the urgent necessity of governmental reorganization.

I have never contended, Mr. Chairman, that the reorganization bill should be passed as it came from the committee without the changing of the dotting of an "i" or the crossing of a "t." On the other hand, members of the committee handling this bill were aware of the fact that I have not only favored but insisted upon the adoption of several amendments to this bill.

As one of the supporters of this legislation, I am delighted that the committee has agreed to and will offer some important amendments that in my judgment will eliminate many of the objections raised on the floor of this House. Still other amendments will be offered and I reserve the right, Mr. Chairman, to vote for any of the amendments that in my judgment are in the interests of sane and efficient government. When this bill reaches the amendment stage, we are assured of sufficient time to offer and discuss every possible amendment that anyone might desire to offer.

Personally, I shall support the amendment to be offered to exempt the Veterans' Administration from the provisions of this bill. The fact that the Veterans' Administration has functioned in a way generally satisfactory to the veterans as well as to the Congress and the country is concrete evidence why one director can handle a bureau more efficiently than a board of three, five, or seven members. It has been brought out in the discussion that the President of the United States has made it plain that he has never had in mind reorganizing the Veterans' Administration. So, actually, the amendment would not affect the operation of the law one way or the other.

There are other amendments that I may discuss when the bill reaches the amendment stage. But merely be-

cause Members are not wholly satisfied with the bill as it came from the committee is not, in my judgment, any real justification for all this excitement, charges, and counter charges.

Practically every speaker who has opposed this bill to date admits at the outset that there ought to be a reorganization in order to effect economies and make government function more efficiently. But the opposition to the principle set forth in this bill stripped of its verbiage and camouflage, is to a very large extent deep-seated opposition to the President of the United States. During the few terms I have served in Congress from the Coolidge administration to this good hour, I have never heard such a hymn of hate against any President at any time as the one now coming from the opposition in and out of Congress against President Roosevelt.

It is significant that practically every speaker against the reorganization bill has expressed the fear that President Roosevelt desires to become a dictator. Some have not actually said so in words, but the opposition has harped on the words "dictator" and "dictatorship" because they know that the people of America abhor the very suggestion of a dictatorship. If I thought for a moment that President Roosevelt or anyone else would be so utterly foolish as to attempt a dictatorship in this country, and if I thought that this bill would make such a thing possible, I would oppose it with every ounce of energy within my being. But the record of the Roosevelt administration gives the lie to that charge. [Applause.]

When President Roosevelt asked for a Banking Act to stop the closing of banks in every town and hamlet in America, after 10,000 banks had gone broke under the two previous Republican administrations, he did not ask to become a dictator. You will remember that some of the Republican opposition to the Banking Act hinted at a dictatorship then, but no one can now charge that the President abused the powers given him. When the securities and exchange bill was pending in this House, the Republican spellbinders had become a little bolder and some of them became excited for fear the President might wrongfully usurp power in the administration of that act. But the Roosevelt record has not borne out that prediction. The President has demonstrated over and over again that he has the interests of the common people at heart and has not wavered from his course because of intimidation, slander, and abuse. [Applause.]

It is impossible in the short time that is mine to call the roll of the hundreds of progressive, constructive, and worthwhile measures enacted thus far under the Roosevelt administration. So far as I am concerned, I do not propose to become excited or stampeded by the old worn-out cry of the reactionary Republicans and others who sing a hymn of hate against our great, beloved President, whose heart beats in sympathy with the toiling masses. The old absurd and silly cry of dictatorship is in my judgment pure camouflage. This is the last, supreme effort on the part of Republican leaders and others who hate our President in a futile effort to "smear" Franklin D. Roosevelt.

Tomorrow the distinguished chairman of the Rules Committee will move, so he has announced, to strike the enacting clause from the pending bill. The gentleman from Texas [Mr. KLEBERG] and several other speakers say they will vote to strike the enacting clause. I shall, of course, vote against that motion. If I were opposed to the bill and did not expect to vote for it on the final roll call, I certainly would not vote to strike the enacting clause. Every bill presented by any committee is entitled to have its day in court—

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I am pleased to yield to the gentleman from Wisconsin.

Mr. BOILEAU. The member of the committee desires that we give the bill a chance. Does he not also believe that the Members of the House should also have a chance to know what kind of a committee amendment is going to be offered, before we take up the vote on the question of striking out the enacting clause?

Mr. JOHNSON of Oklahoma. I agree with the gentleman absolutely.

Mr. BOILEAU. I have not been able to find that out as yet. Some of the members of the committee made the statement as far back as last Saturday that they were going to offer an amendment restricting the power of the President, or rather giving the Congress some control. I suggest to the gentleman it might be a very good thing to let the Members know what kind of an amendment the committee is going to offer, so we might determine whether or not it amounts to anything.

Mr. JOHNSON of Oklahoma. I am not handling the bill, but I agree with the gentleman that the Members of the House ought to know what is going to be voted on.

As I have heretofore stated, I feel very hopeful that amendments will be accepted by the committee and possibly other amendments added from the floor that will eliminate any reasonable objection. To strike the enacting clause is to say that you are opposed to any kind of reorganization legislation during this session of Congress. With 130-odd boards and bureaus, many of which are overlapping, and with the statement of leading economists that governmental reorganization, as proposed in this bill, would save hundreds of millions of dollars and promote efficiency in government, and with amendments already accepted and agreed upon giving Congress not only a check but an actual veto of any proposed reorganization that might not be satisfactory, I cannot conceive of any fair-minded Democrat going so far as to vote to strike out the enacting clause.

I am hopeful that a very reasonable and satisfactory measure will be worked out before the pending bill is finally voted upon that will meet with the approval of every Member of this body who is not blinded by prejudice or partisanship. [Applause.]

Mr. COCHRAN. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. HEALEY].

Mr. HEALEY. Mr. Chairman, on last Friday when a motion was made for the previous question I was one of those who voted against ordering the previous question which would have shut off debate, and I think very happily and very fortunately the membership of the House defeated that motion, thus insuring the fullest debate and discussion of this bill. I do not believe anyone has cause to complain that he has not had the freest privilege of being heard on this measure and ample opportunity to express his views. I have been in the House for 5 years and seldom have I heard a measure debated at such great length.

There have been other fortunate results from that vote. We have since had assurances from the committee in charge of the bill that the prerogatives and the powers of Congress will be fully preserved by a provision to be offered as a committee amendment, that a concurrent resolution of the Congress, passed by a majority vote, will nullify any Executive order made under the provisions of this bill.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. HEALEY. I yield to the gentleman from Wisconsin.

Mr. BOILEAU. The gentleman recalls the statement contained in the letter sent out by the President on March 29, in which he said a concurrent resolution of that kind is unconstitutional.

Mr. HEALEY. I understand the committee have now worked out an amendment providing for a concurrent resolution which they believe will be constitutional.

Mr. BOILEAU. How does the gentleman happen to have been able to see that amendment when other Members who are interested have not been able to get a copy of it?

Mr. HEALEY. I have not seen it. I just have the assurance of members of the committee that they have prepared an amendment providing for a concurrent resolution which they believe will meet the objections the gentleman mentions.

Mr. BOILEAU. If the gentleman will yield further, the President's letter was referring to concurrent resolutions, and he mentions them as a reason we should pass this bill in its present form.

Mr. HEALEY. I am familiar with the reason that was advanced, but I am reliably informed that the committee have found the solution to that problem.

Mr. BOILEAU. The gentleman has agreed that—

Mr. HEALEY. The gentleman will have an opportunity to offer amendments when the bill is read for amendment, and he knows the bill is to be considered under rules of the House which will permit the gentleman and other Members of the House to offer amendments to any part of the bill.

Mr. BOILEAU. I am hopeful the gentleman will see fit to support the amendment.

Mr. HEALEY. I will reserve judgment on that until I see what it is.

Mr. BOILEAU. I mean the amendment I am going to offer, which has been printed in the RECORD.

Mr. HEALEY. I am sorry I cannot yield further to the gentleman, as my time is limited. However, I assure the gentleman I will give his amendment my fullest consideration.

In addition, we have had assurance from the committee that a committee amendment will be offered which will leave the Veterans' Bureau in statu quo and another assuring that the Office of Education will remain unaffected by this bill.

Mr. BRADLEY. Mr. Chairman, will the gentleman yield?

Mr. HEALEY. I yield to the gentleman from Pennsylvania.

Mr. BRADLEY. Apropos of that part of the bill with reference to the Office of Education, is it not a fact the superior of the clergyman in Detroit who inflamed the minds of certain people with the thought there were provisions in this bill which might affect certain educational institutions stated there was no reason for apprehension and repudiated the remarks of the clergyman in Detroit?

Mr. HEALEY. I read the statement of Archbishop Mooney, administrative head of the National Catholic Welfare Conference, which stated that he saw nothing in the bill to expand present functions of Federal educational agencies and that, therefore, he saw no cause to arouse fears in regard to Catholic interests.

Mr. BREWSTER. Mr. Chairman, will the gentleman yield?

Mr. HEALEY. I am pleased to yield to the gentleman from Maine. The gentleman yielded to me.

Mr. BREWSTER. If there is no question regarding the phraseology used, why was the committee so ready to strike out those provisions?

Mr. HEALEY. Of course, that will have to be answered by members of the committee. I am of the opinion, however, that the committee readily agreed to eliminate any reference to education in the bill in order to allay any possible fear that there may be any intention to abridge any existing rights of parents to educate their children as they desire.

Mr. BREWSTER. That was not the result of anything said by anyone on the radio?

Mr. HEALEY. Of course I cannot speak for the committee, but I am satisfied it was because of a sincere desire to resolve any doubts that may exist in the minds of people and to fully clarify the intention of the bill in that respect.

Now, there are some other beneficial results that have happened because of the continuance of this full and free discussion. I think the country has had an opportunity to be informed on the true contents of this bill and its correct purpose and intention. Now that emotion has generally subsided most everyone realizes that there is no dictator hiding within the pages of this bill. As a matter of fact, we had a great many Members on the Republican side today apologizing for calling it a dictatorship bill.

Mr. LORD. Mr. Chairman, will the gentleman yield?

Mr. HEALEY. I must decline to yield just now. Oh, they know that there was not anything to that.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. HEALEY. I must decline to yield right now.

Mr. TABER. I want to call the gentleman's attention to facts.

Mr. HEALEY. I have yielded very generously.



Oh, they know that was just a lot of camouflage, intended to incite and inflame the people of this country, and now at last we have come down to a sane discussion and consideration of this bill. The temper and the trend of the debate today has been refreshing in that some Members on the Republican side have confined themselves to a discussion of the bill on its merits and we have heard no more of these catch words. There is always somebody of the opposition who is very adept and adroit at coining a catch word to misrepresent the actual purpose of bills favored by this administration. A bill to end abuses of utility holding companies was termed the "death sentence." Work relief for needy unemployed was termed "boondoggling," and now this bill is called the "dictatorship bill."

The word was flashed across the country to term this "the dictatorship bill." I think the best proof that it is not a dictatorship bill and that there is no intention on the part of anyone to create a dictatorship in this country is the utterances of the opposition on this side today, many of whom have disclaimed any thought that there is anything in this bill which would create a dictatorship.

Mr. LORD. Mr. Chairman, will the gentleman yield for just a minute?

Mr. HEALEY. I cannot yield at this time.

I have also observed that this bill has been relegated to the middle and last pages of the press of the country.

Another refreshing thing is to note that some newspapers, particularly editorially, are telling the public the real truth about this bill. I was pleased to read an editorial that appeared in the Washington Times of yesterday. I am happy that the man who wrote this editorial has recognized the great contribution that was made to this debate by my able colleague from my own State of Massachusetts, a man whose capacity everyone in this House recognizes, and whose sincerity is not questioned by anyone, the man who now presides over the deliberations of this Committee, my colleague, Mr. McCORMACK.

#### REORGANIZATION BILL—JUST A FIGHT TO SMEAR ROOSEVELT

Enemies of the Roosevelt Government reorganization bill have shown by their acts and tactics of the last few days that they know this is a good bill and are fighting it solely because they hope its defeat would discredit the President.

Among the more odoriferous of these tactics was the whispering campaign designed to convince leading Catholics that freedom of religious education was menaced by the proposal to transfer the Federal Office of Education from the Interior Department to the projected new Department of Welfare. Representative JOHN W. McCORMACK, Democrat, Massachusetts, told this one off correctly when he described it, in an eloquent House address, as malicious misrepresentation circulated to stir up hatred against the Chief Executive of the United States.

The President has accepted an amendment taking this Education Office transfer out of the bill—which ought to remove the last shadow of bona fide objection to the bill. It is a bill to make the Government of the United States more efficient; it is not a bill to set up a dictatorship or change our form of government. We do not see how the insurgent Democratic Congressmen, fighting the bill along with the smear-Roosevelt Republicans, can explain their fight to their consciences—or to their constituents.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. HEALEY. We have in this Government an Office of Education which is now in the Department of the Interior. The function of the Office of Education is to gather statistical information on schools, population, cost of maintenance of schools, and so forth, and to disseminate this information. That is all the power that the Office of Education has. The limitations on the Office of Education are fully contained in the bill which created that office. The bill originally proposed only to move the Office of Education from one department to another. It did not propose to expand the present functions of this agency nor add a single power that it does not already possess. But the provision unfortunately aroused widespread fears and I believe the committee very wisely have agreed to offer an amendment eliminating this provision. And I heartily subscribe to that amendment.

If there could be any lingering doubt in anyone's mind that through the medium of this bill there is any attempt

to curtail constitutional liberties then let him examine the membership of the committee entrusted with the consideration and preparation of this bill. The chairman of the committee is the gentleman from Missouri, Mr. COCHRAN, and the other members are LINDSEY WARREN, FRED M. VINSON, J. WILL ROBINSON, JAMES M. MEAD, FRANK C. KNIFFIN, HARRY BEAM, Mr. TABER, and Mr. GIFFORD, the latter two from the minority side. Can anyone entertain any suspicion of the motives of the able chairman of this special committee, who, everyone here realizes, knows perhaps as much about departmental activities as anyone in the House, a man who has given years of service to the country in this body and who would fight to the last ounce of energy against any infringement of the constitutional rights of the people? And we are all aware that there are no men in this country who are more ardently devoted to the preservation of our constitutional democratic form of government than the men who comprise this special committee.

Let us determine this matter on its merits. We know that all this bill attempts to do is to provide for a coordination of governmental activities for simplification, for efficiency, and for a better accounting of the disbursement of the people's money. Mr. Chairman, I hope that we are going to consider this bill now solely and purely on its merits. Now that the high-pressure methods of the propagandists have subsided, we shall get down to a real consideration of whether we want to give President Roosevelt the same power that Congress conferred upon President Hoover and retain the same reservation—even a stronger reservation—the power to nullify anything the President may do under this bill that we believe is undesirable. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Chairman, following the remarks of the last speaker, as he talked concerning the safeguarding of education, I would refer you to the exact language of the bill relating to education, "shall promote the cause of education." This phrase has disturbed many people. It was unnecessary. It never should have been placed herein. No one in this House has greater respect for the chairman of the committee, and no one a better friend of the gentleman from Missouri, JOHN COCHRAN. I recognize his legislative position, but I likewise remember the phrase, "All men are human."

About 2 years ago, it was my glorious privilege to say good-bye to my eldest daughter at the door of a convent. She has gone to teach in this world. Many others of her type and ideals, men and women, not only in this country but throughout the world have gazed at the forlorn figure of Him who hung on Calvary in a rag and have offered their all for the benefit not of their own children but for the children of others; and this damnable proposal has caused them anguish, stirring to the core. That is should be brought into this House now is very untimely, having as its effect the placing of certain Members of this body upon the rack.

I do not care who your political boss is back home, I tell you to stand on your feet. This House stood on its own feet, Friday, April 1, and brought the leadership to its knees. This was followed by concessions to strike certain obnoxious provisions from the bill.

Personally I resented the treatment accorded the House, suspected it from the beginning, recognized the parliamentary situation, took a position to delay the "rush act", and requested the first roll call. Incidentally the foregoing is a statement of one who yields to no man in this House in the matter of faithfulness to democratic leadership.

This legislation comes as a result of the Brownlow report, vicious and ruthless in its attempted rape on representative government. The original bill submitted here has resemblance of kinship to the report, the proposal has proven itself obnoxious to the people.

For my part with the gentleman from Pennsylvania, the Honorable MICHAEL STACK, in his sincerity I stand here and



repeat the phrase he uttered so beautifully: "I reserve the right to educate my children as a God-given right to me."

Now, Mr. Chairman, let us be calm. Some are making light of a serious matter and using it for political thunder. Others recognize their duty. [Applause.]

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas [Mr. McCLELLAN].

Mr. McCLELLAN. Mr. Chairman, the position I take today on this measure is not one of recent convictions nor have I been influenced in reaching it by any propaganda alleged to have been disseminated. Last year on the one hundred and forty-third roll call of the House, during the first session of the Seventy-fifth Congress, I voted against the bill passed by this House at that time to establish a department of public welfare, the same provisions of which are now title 1 of this bill. I have been interested in this legislation since it was introduced, and I have followed closely the debate that has been offered on the floor of the House in support of the measure. I have not changed my mind, but on the contrary have become more and more convinced that this legislation should not be enacted into law.

When a measure of this character is introduced, so far reaching in its effects, and so strong in its implications, I take it that the burden is on those who sponsor the legislation to show the need for it. I take it that the burden is on them to establish beyond any question the value of the legislation and the good it will do. I take it, too, that a bill of this character involving reorganization of the agencies of the Federal Government can only be supported and predicated upon two theories, first, that it will result in economy and that it will produce efficiency in the administration of Federal law and governmental affairs.

It is conceded that the measure now pending before us will not produce economy. The President in his message to Congress on the subject virtually admitted it is not an economy measure. There is no serious contention now by those favoring it that by passing this law we will save the burdened taxpayers of this Nation one dime. On the contrary, there is a strong suspicion and just grounds for a definite belief that by establishing this department of public welfare and placing in that department the governmental functions, the duty and the obligations that are stated in this bill, the cost of the Federal Government will be materially increased.

Mr. KNUTSON. Will the gentleman yield?

Mr. McCLELLAN. I will yield if I can get more time.

Mr. KNUTSON. The gentleman from Virginia [Mr. Woodrum], than whom there is no better authority in the House on fiscal affairs, estimates that the passage of this legislation will result in increasing the cost of Government anywhere from one to three billion dollars a year.

Mr. McCLELLAN. That is true, and I regard him as the best authority in this House on the financial affairs of this Government, and often he pleads with his colleagues here and votes for and in the interest of the greatest economy. I am sure he, like many of us, sees no economy in this bill.

Mr. COCHRAN. Will the gentleman yield?

Mr. McCLELLAN. I yield to the gentleman from Missouri.

Mr. COCHRAN. The gentleman from Virginia [Mr. Woodrum] made the statement that the department of public welfare would mean an increase of a billion or possibly two or three billion dollars. The bill providing for the creation of a bureau of public welfare provides for a secretary of welfare, an under secretary and two assistants, as well as a solicitor. Beyond that it provides nothing except that the President can place in the department of public welfare such agencies as he feels should belong there. By doing so the economies that will be effected will be far greater than the salaries paid. Surely this Congress is not going to pay a billion dollars a year to those five men.

Mr. KNUTSON. Certainly the gentleman cannot be sincere in making that statement. The gentleman is trying to intimate that the creation of the new bureau will only involve the employment of three or four additional employees.

Mr. McCLELLAN. I do not think the gentleman could expect us to assume or believe, even from his statement, that there will be no further expense involved than indicated by him. You cannot set up a new department and create a new Cabinet position without incurring tremendous expense. It will further extend the burden of government.

Mr. KNUTSON. Will the gentleman indulge me further?

Mr. Woodrum stated:

In my judgment the creation of this department will increase our financial burden a billion dollars a year and may easily be two or three times that amount.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. TABER. Will the gentleman yield?

Mr. McCLELLAN. I yield to the gentleman from New York.

Mr. TABER. May I say that the thing which will cost such a tremendous sum of money in this creation of a department of welfare will be the permanent authorization of large appropriations for relief that are not now authorized. I yield the gentleman 5 additional minutes.

Mr. McCLELLAN. Mr. Chairman, may I say a word about the expense of, and economy in, Government. I have not seen any economy in the emergency agencies that have been set up in this Government during the past 5 years. The President has authority now to regulate them by Executive order, but there is no evidence of any economy in them and I do not expect any economy when we pass this bill. We might just as well face the facts. We all know the authority the President has been given with respect to the many emergency agencies created by law at his request during this administration. We know the power he has and can use to effect economy in these governmental activities, and we all know, too, that the extravagance and waste is appalling. The President can do most anything he desires with relief and emergency funds we appropriate, but conditions show no evidence of either economy or efficiency in these emergency set-ups.

This bill has only one purpose. I know what it is and you know what it is. It has not for its purpose economy and neither is it going to serve for efficiency. It will afford an opportunity for manipulation. When substantial changes are made, I think Congress should do it by law and they should not be accomplished by Executive order.

I hear statements made by some of my colleagues that the Congress cannot do this job. That it is too big for Congress to handle. That is a silly idea. I cannot conceive, Mr. Chairman, that the Congress, composed of Representatives and Senators chosen by the people, are so lacking in intellect and judgment as to be incompetent to deal with reorganization. God pity America if our capacity is so limited. I would hate to admit that Congress cannot do it. We do a lot of things by suggestion from the Chief Executive of the Nation. During the past 5 years practically all of the major bills that have been enacted were conceived by the Chief Executive and his "brain trust," just like this bill we are now considering. They were drafted, brought here, and delivered to us. Sometimes they have had a "must" tag on them, just as this one has—and most of them have been enacted. Some of them are good and some are not.

There is no reason in the world, if Government agencies ought to be reorganized, if there ought to be changes made, if there is overlapping, why an investigation should not be made and a determination arrived at as to what agencies ought to be abolished, transferred, or consolidated. When it has been determined by the President and his advisers what agencies in their opinion ought to be abolished or changed, and when it is determined just what changes should be made, he can make a report to the Congress giving it the facts. After considering the President's message on the subject and the facts in connection with such proposals, the Congress can then enact a law to do the things that the President says ought to be done and which it determines would produce



efficiency and economy in governmental affairs. If we cannot do it that way, and if we do not do it that way, we will be making a radical departure from the course that time and experience have proven to be safest to follow.

That is the way it was intended this Government should function, that the President should report to the Congress on the state of the Union and the Congress should take the appropriate and necessary action. To permit and delegate the power to do it by Executive order in the manner here proposed will be destructive of sound and true democratic processes.

There is another reason I am not going to support this bill. The Senate has already passed a reorganization bill. I regard the Senate bill as vicious. It is three times worse than what this House bill will be when it reaches final passage. I would not vote for it. It conveys powers and authorizes to be done things that are detrimental to the Nation. I could not support it at all.

Then, are we going to pass this bill? The best way to judge this bill is by the concessions that have already been made by its sponsors to those of us who have opposed and exposed it. If you were to put back into the bill the provisions it contained in its original form, you know the bill would not pass this House. You know it cannot be passed as it is now. Because it cannot be, you have made further concessions and agreed to a number of amendments. That shows what was wanted and how bad it was to start with. What I am afraid of is that if we pass any kind of a bill, I know and you know it will have to go and lie down in conference with the Senate bill. And you and I know the Senate bill ought not to be passed and become a law, and I know and you know that when this bill goes to conference if we pass it here, and I do not care how white a document it may be when it leaves this Chamber, when it goes into conference and lies down with the Senate bill it is going to come back here contaminated with some of those objectionable provisions that the Senate bill contains. We will then have to vote it up or vote it down in a hurry and without opportunity for ample discussion and consideration. I am going to do my voting now. The bill is not going there if I can have my way about it. [Applause.]

There are some other things we ought to be doing instead of considering this bill. This country is in a serious situation. I do not say that in the sense of being an alarmist, but I realize that the job of bringing this Nation back to a stable economic condition has not been finished. We are here talking about a reorganization bill which even the sponsors must admit is of doubtful value, while millions of people look for an opportunity to earn by honest toil the bread they need to sustain the lives of themselves and their families, and yet the Congress of the United States is required to consume from 2 to 3 weeks' time on legislation of this character. It is unfortunate this must happen in view of more important and needed things to be done.

I would much prefer to go along with the President. I have followed him many times. I have walked with him here on the floor of this House in connection with legislation he has recommended when I seriously doubted the wisdom of it and doubted that it would bring the good results claimed for it. I have tried to cooperate and be helpful to the President, to my party, and my country with my vote here in Congress. However, there are times, I believe, when the judgment of the smartest human errs. I have never yet seen anyone who I thought was perfect or always right. I am going to continue to walk with my President when I believe he is right, but when I have an abiding belief that he is wrong I am going to follow the dictates of my conscience instead and do what I conceive to be right and my duty. [Applause.]

Mr. Chairman, I have heard the rumors that are spread around the halls of Congress to the effect that those of us who dare to vote our true sentiments will be punished politically. I hope this rumor is unfounded. In following the dictates of my conscience I am not counting the cost politically. I do not know what that will be, but I do know that

I have a duty to perform that is higher than my obligation to any party and higher than my obligation to any man, regardless of who he may be. In this case my duty is to retain, if I can, by my vote the true democratic processes of government. Therefore, I am going to vote against the reorganization bill, in the hope that governmental departments may continue to be regulated by law rather than be controlled by Executive order. [Applause.]

Mr. TABER. Mr. Chairman, I yield 8 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, I ask unanimous consent to insert in the RECORD at this point two amendments I propose to offer to the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAWFORD. Mr. Chairman, the amendments referred to are as follows:

Amendments offered by Mr. CRAWFORD: Page 60, line 9, strike out the period and insert a colon and add "Provided further, That the provisions of this act shall not apply to the Federal Bureau of Investigation, United States Department of Justice."

Page 68, line 25, after the word "otherwise", strike out the period and insert a colon and the words "Provided, That the provisions of this title shall not apply to officers or positions or the incumbents thereof in the Federal Bureau of Investigation, Department of Justice."

#### REORGANIZATION AND POLITICO-POLICE

Mr. Chairman, if this reorganization bill is enacted by Congress, the President of the United States will have conferred upon him such terrific powers that he could set up a political nightmare that would make the terroristic activities of the Russian OGPU look like a Maypole dance.

And this measure is not entirely unlike, in possibilities, scope, and powers conferred, the OGPU of Russia wherein a system of spying was set up among Government workers and among the citizens themselves and wherein the citizen who murmured against the Government would reap the wrath of the OGPU. Brother spied against brother and wife against husband and citizens could not even mutter to themselves lest a spy be at their elbow. Agents of one section did not know the identity of the agents of another. The OGPU is not entirely a police unit. Its members are spies in the Government departments, in hotels, in factories, to report against anyone uttering complaint against the administration. The police branch of the OGPU merely carry out the terror.

Once such power contained in this reorganization bill is concentrated in the hands of one man, every employee on the pay roll of the Government could be forced to become a "yes" man and a worker in the political vineyard of the administration. The head of every department would labor under the cloud of having his bureau or unit yanked out from under the wing of that Government branch where it is located and become a misfit in some other isolated branch of the Government. This would be a threat held over the head of every branch of the Government—"If you are not 'right' the President will reorganize you."

Purges would be as frequent in this country under such a system as they are in Russia, and if you do not think there have already been some patronage purges in the United States of America read the RECORD for the remarks of certain Members of Congress who were denied their patronage because they were not "right" with their chief.

I am not only fearful what might happen in the next 2 years if this bill is enacted but also what might happen in the years beyond that under other Presidents; and we do hope to exist under future Presidents. The President who would be the first to administer this act if it is passed now by Congress has stated that he has none of the qualifications which would make him a successful dictator, and yet he uttered this statement while the papers were still printing his attack upon sincere citizens and organizations exercising their right of petition under article I of the Constitution.

Under this bill the President could reorganize the various police units of the Federal Government into one gigantic politico police force that would make the iron rule of the

Redcoats against which our forefathers revolted resemble a petty pastime. Furthermore, there are already whisperings in the Navy Department that after these civilian units are reorganized the "reorganizamania" will be spread to the Navy. In the past 30 years the Navy has set up its own promotion system, and advancement was made under the scrutiny of a board of high naval officers. But as the reorganization scourge spreads we may soon find the fleet abandoning training abroad, leaving our insular fortifications, and coming home to vote every 2 years or sailing one of our harbors where the populace has not been too friendly to the administration.

Unless some provision is inserted in this reorganization bill to exempt the Federal Bureau of Investigation against executive and political tampering, we face the danger of having the morale of that organization diminished and the grip of organized crime on the throats of our citizens will be tightened.

#### STANDARDS OF G-MEN HIGH

The Federal Bureau of Investigation has extremely high requirements for its agents, and unless it is permitted to maintain those high standards without fear of political contamination the efficiency of the organization cannot be maintained.

Let me point you to the fact that 83 percent of the Bureau's investigative force have had legal training and that 533 of the 680 special agents hold university degrees. Most of the other agents are expert accountants. Of the 533 I have mentioned, 293 have one degree, 223 have two degrees, 14 have three degrees, and 3 have four degrees. Show me any other unit in the Federal Government having such a high rate of university degrees per capita. Show me any other unit of government that has such high entrance requirements for its positions. In order to qualify for the position of a special agent the applicant must be a graduate of a law school of recognized standing or be an expert accountant.

You who are members of the bar know what your requirements are with reference to the privilege of practicing law and sitting on the bench. Mr. Hoover, in his management of the Federal Bureau of Investigation, requires and applies the same standards of intelligence in the apprehension of the criminal and the preparation of the case to be presented before the bench and the jury as you require in legal training.

For too many years in this country we have been operating on an out-of-balance system which established high requisites for those prosecuting and judging criminals, but we paid too little attention to the requirements and training of the men upon whom we placed responsibility of coping with murderers, robbers, kidnapers, and other merchants of misery and their ilk.

Crimes are solved and criminals captured, except in a few blundering instances, because the law-enforcement officers assigned to the cases exercised superior intellect. The racketeer, the kidnaper, and the murdered cannot cope for long with the intelligence which is brought into the Federal Bureau of Investigation and with that independence of political fear under which the F. B. I. agents operate. It takes intelligence and intelligence gets the man. That is why Mr. Hoover has found his requirements must be so high. In other words, the point I wish to make is that you cannot civil service crime catching.

Few other Federal institutions, aside from the Army and Navy, provide regulations which compel these Government workers to engage in frequent training to keep abreast with the times. In the Federal Bureau of Investigation, the agents are not only subject to rigid requirements upon admission but they must then engage in intensive schooling for weeks before they are ever assigned to a job. Then even after they become agents they are required to participate in retraining courses in order that they may be fully aware of the rapidly changing developments in the field of criminal methods and law enforcement.

#### F. B. I. FREE OF POLITICS

Since its inception the Federal Bureau of Investigation has been entirely free from national political contamination. It has been unmolested in its effort to cope with crime. Under such a system it unquestionably was responsible for placing a strangle hold on the throat of the kidnap racketeers who flaunted their acts in the faces of our citizens a few years ago. Are we now to throw down the bars and make an unholy alliance between the Federal Bureau of Investigation, the criminal and the politician? To those of you sponsoring this bill, I say give that a thought.

This Bureau is already under the Classification Act and it has extremely high requirements of personnel ability yet it would be subject to Presidential control as to personnel under this bill.

It is proper to point out at this point the extensive training course required of every agent of the Federal Bureau of Investigation. Before an agent ever sets foot on the trail of a criminal he must in preparation for his work, attend the Bureau's training school for months.

The Federal Bureau of Investigation Police Academy is second to none in the entire world when it comes to training men assigned to the responsibility of protecting the lives of citizens against the demons of the underworld. Included in the course of study are lectures made by highly trained investigators, by college professors, and by experienced lecturers. The new special agents are given training in crime simulation in a special department where a fictitious crime is committed and clues placed as might be left by a criminal. They are also given hypothetical cases upon which they can demonstrate their training and ability. Classrooms are beehives of activity as crime solution problems are worked out on the blackboards. Scientific training is also given these men in fingerprinting, ballistics, and other modern improvements in crime detection. The Bureau maintains one of the most modern laboratories of its kind in the world. With further reference to this fine training school, let me here state that requests are coming from many foreign police departments to permit their officers to attend this school.

In addition to the school for the Bureau's own agents, the Department has set up the National Police Academy to which the States, counties, and municipalities may send their officers for intensive 12 weeks of training on the condition that a police school for local officers will be set up by the student attending the F. B. I. National Police Academy. Incidentally, the seventh graduating class from this school has just received diplomas from the Attorney General, making a total of approximately 250 police officers from the various parts of the United States who have received training here in Washington under the direction of our highly qualified G-men. It further means that our local crime-prevention efforts will be increased by the setting up of 250 local police-training schools to better fit our law-enforcement officers for their work.

The bill squarely presents to us for answer these questions: Is all of the effort heretofore expended by the Federal Bureau of Investigation to become as clay placed in the hands of the President to be twisted or broken up as he sees fit? Shall all of these scientific developments of the Bureau become playthings of the politicians? The bill will permit these very things happening. The Bureau could even be abolished by being reorganized into some other unit. If we act wisely, we will keep the F. B. I. divorced from politics.

The two amendments which I shall offer, Mr. Chairman, will be to exempt the F. B. I. from the provisions of this bill.

Mr. ALLEN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Illinois.

Mr. ALLEN of Illinois. Those of us who know the gentleman best know that besides being a politician, the gentleman is a businessman. We know that the gentleman has been an efficiency expert in governmental organization and we know that he has been an accountant. It has been said here by the gentleman from Virginia [Mr. WOODRUM], an out-



standing Democrat and probably the best-informed person on governmental departments, that in his opinion this reorganization bill would cost the taxpayers of the United States a fixed sum of from one billion to three billion dollars a year. I would like to know the gentleman's conclusion in regard to that statement.

Mr. CRAWFORD. Insofar as the organization and establishment of a permanent welfare department and giving it a place in the Cabinet is concerned, and as the gentleman has said, based on experience in public accounting in the reorganization of State departments and large corporations, I am satisfied in my own mind that the creation of that department will increase our welfare costs to an extent which makes the remarks of the gentleman from Virginia rather conservative.

Mr. ALLEN of Illinois. We have heard a great deal about propaganda and all that sort of thing. Does not the gentleman believe that probably the reason the people of this country are up in arms is because they are paying enough taxes and do not want to pay any more?

Mr. CRAWFORD. I think that is correct, and I may say that for the first time since I came to this House, which has not been many years, although we have had many big issues under consideration here, the clerk, the waitress, the farm laborer, the shop worker, the poor man, the rich man, the woman who scrubs the floor, and people who represent every walk of life, have sent me hundreds and hundreds of petitions, letters, and telegrams, and in the last few days my office has sent out several thousand answers to these protests. It is a different type of response to anything I have ever seen before, and it has come to my office as if it sprung from mother earth herself, and I do not believe there is any type of propaganda in this world, from the standpoint of sheer propaganda, that could whip the people in my district into making such a protest against a piece of legislation.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, if the other Members of the House at this late hour feel as I do, I sympathize with them because I know they are tired, and while I would like to discuss this measure at some length, I feel I owe it to you men at this time to be rather brief.

It is a very easy matter when a great public question is before the House to lose sight of the real issue involved. It is not difficult for a person to work himself into a passion and beat the air, but in the consideration of all proposed legislation there are certain realities that ought to be considered.

I am taking the floor at this time with no thought of partisanship whatever. This is one of the most important measures that has come before Congress and perhaps that will come before Congress for some years. There must be a reason why people are writing letters in large volume to their Members of Congress at this particular time. It is not an answer to say that it is propaganda, even though some of it may be. I am only repeating what others have said, that they have received thousands of letters from people in all walks of life protesting against this measure.

Why this sudden interest in this bill? Let me tell you, and this is no criticism of anybody at all. The world is in a disturbed state of mind and has been for some time. It has been referred to as post-war insanity. Nations are at each other's throats, and those who are fighting could not tell the issue if they were called upon to define it. After the World War, what happened? Countries were heavily in debt. Their debts piled up until finally it became necessary, or at least the leaders of those nations thought it was, to print money, and immediately its purchasing power went down.

The people had the money in their hands, but saw their endowments, insurance policies, their daily wages, and everything else turning to ashes in their hands. Misery followed, and suffering and starvation; and, Mr. Chairman, that is just the time when power begins to concentrate.

Whether men are ambitious or not, power concentrates, concentrates into a few hands and finally into one hand, and then there has to be a victim, and there always has been under such conditions. It is true in many parts of the world today. Who are the victims? They are the minority, whether racial or religious. They are the ones who are inevitably persecuted, persecuted by the majority because of their suffering and their distraught state of mind. We must not forget this. It is brought about because of conditions. It is because of certain conditions of suffering and unrest. Our national debt is increasing, State debts are growing, private debts are becoming unbearable, and they will continue to increase under the present bill. Bureaus will be piled up, and gradually there will be a concentration of power. When concentration of power forces these conditions, over which, apparently, this Congress has had no control, then will begin persecution. Look around, if you will. Classes of people, races of people in foreign countries, are being persecuted, their property confiscated, their money taken so that they cannot even leave the country, starving, their condition brought about as the result of concentration of power.

I will admit that in normal times perhaps this bill would not have caused a ripple, but right now the people at home know just as much about world affairs as we do. They are reading, they are studying, they are listening to the voices over the radio. They are studying conditions world-wide, and they are saying to themselves: "There is a group of men we are going to trust." I can say, and I think this was repeated on the floor before, that up to now the people who sent you here have had absolute confidence in you. They then would have trusted you to settle their estate, to act as guardians of their children. They entrusted to you certain powers, not to act as a general agent but as a special agent, to exercise powers you should defend and which they expect you to defend—the power to legislate is one of them, a power you cannot delegate, and they do not mean that you shall delegate it. They were willing to trust you in these disturbed times in the world. They are turning to you now individually and collectively, asking you to preserve, protect, and defend their rights; and they are saying this to you right now as they think of conditions that exist and the persecutions and the starvation and the misery throughout the world due to concentration of power. They are hoping, praying that you as their representatives will not grant power to any man no matter how good nor how wise, because they know there is not infallibility in human kind in this world. If you obey the voice of your people who sent you here, you will never at this particular juncture delegate one iota of power that belongs, in the final analysis, to the sovereign people, power of which you are sworn trustee. [Applause.]

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. BRADLEY].

Mr. BRADLEY. Mr. Chairman, it was not my intention to take the floor to discuss this bill until some 15 or 20 minutes ago. Up to that time I had intended to adhere to that intention, but, after the remarks of the gentleman from Maine [Mr. BREWSTER], which again brought the matter of education into this debate, I thought it was perhaps time, at least for the purpose of the Record, that we be frank about this matter. I wish there were more Members present at this moment. I should like particularly to have those present at this time who for some reason or another have been instilling fear in the minds of the American people with reference to the educational provisions of this bill.

A gentleman on the Republican side made the statement shortly after the remarks of the gentleman from Maine [Mr. BREWSTER] that the committee was forced to sponsor these amendments because it feared the bill would not pass without them. Let me tell you something about the real situation. Because I was informed last Thursday that an attempt would be made to instill fear in the minds of the American people, and because I was also told that certain Members of this House were going to conduct a fight against this bill by reason of the fact, so they claimed, that it would extend the



authority of the Federal Government into the field of education, I contacted the agency which is designated and set up here in Washington—which agency is charged with the duty of scrutinizing legislation to determine whether or not it might affect the educational system or other institutions of the Catholic Church.

I was told, as were other Members of this body, that there was nothing in the bill that they were the least apprehensive about, that they were not opposed to it, and that their attitude was the same as it would be with regard to any other routine legislative measure, namely, that they had no interest in the matter. They also resented the attempt by those in and out of Congress to put this bugaboo before the American people.

Let me say in passing that the attempt has also been made to convince certain of our citizens that the public-school system might be in danger of Federal control. On Thursday I went to the chairman and the members of the committee and told them it was my purpose to introduce amendments, for the purpose of testing the sincerity of those who were stating they were opposing the bill because of the claim it would extend the authority of the Federal Government in the field of education. The committee told me they would not oppose the amendments if I offered them, because, they said, there was nothing to be concerned about whether or not that language was in the bill.

On Friday, members of the committee came to me and said they thought, in order that the House might be informed of its position in the matter, that they would themselves sponsor the amendments. That was before the vote on the previous question on Friday night.

Then we heard an address by a clergyman in Detroit and that was followed by a statement of his superior who happens to be chairman of the National Catholic Welfare Conference, which I repeat, is the agency which maintains offices here in Washington to scrutinize legislation which might affect the educational institutions or other interests of that church. What did he say? He, Archbishop Mooney, repudiated in its entirety the charges of the clergyman in Detroit with respect to the apprehension which might exist on the part of that church that their educational institutions would be in danger through any provisions of this bill. He stated in no uncertain terms that there was nothing he could see to arouse any fear in the minds of anyone who has any real interests in those institutions. That is the real attitude of those who have authority to speak as contrasted with the attitude of self-appointed spokesmen.

I have no quarrel with anyone who is opposing this legislation on sincere grounds.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. BRADLEY. Mr. Chairman, I can easily see how some good, sincere people might be apprehensive and send communications to their Members of Congress because of a fear that had been instilled in their minds. I think that any action by an individual or a group of individuals which instills fear and prejudice in the minds of the American people for purposes of their own is despicable and cannot be condoned under any circumstances. The sincerity of those who claim they are opposing the bill because of the possibility of the extension of Federal authority in the field of education will be tested by their votes for or against final passage of the bill, when the amendments are incorporated in the measure, which will insure that there will be no transfer of the Office of Education and no extension of authority to it. If they then vote against the bill, it will be difficult to understand why they claimed their opposition was solely because of their interest in the educational institutions of the country. [Applause.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES. Mr. Chairman, I desire to express my personal opinion with reference to what I consider to be some of the essential principles involved in this legislation. First

of all, through the many years of experience I have had in public life, now in its twentieth consecutive year, I have always been under the impression that any bill that had as its objective the reorganization of governmental departments would also have as its real object economy in government. Obviously no evidence has been presented on the floor of the House that has convinced me to that effect, but, quite to the contrary, I am convinced that there would be no economy resulting from this legislation.

I am quite sure that the sentiment of the people in this country is very much opposed to the continual delegation of the powers of the Congress to the Chief Executive of the Nation, or to anyone else.

They are becoming deeply concerned about conditions in the Nation today, and about which we hear so much lately. When we stop to consider how the personnel in the departments of Government has increased down through the past few years until at the present time there are in the neighborhood of 700,000 people on the pay rolls of the Government, we can have some idea of the power that is to be placed in the hands of the President if he is given full authority to coordinate, consolidate, reorganize, segregate, and even abolish the departments of the Government and the positions of those who are employed in such departments.

I have always been led to believe the civil service is one of the outstanding departments of our Government, not only lending efficiency and economy to the Government as a whole but protecting the jobs and the positions of those who work for the Government. The proposed change suggested in this bill will, in my opinion, greatly impair the efficiency of this department. The Comptroller General's office, which has for the last 16 years played such an important part in reconciling the expenditures of the Government with the law, is under this bill about to be abolished.

I have had some experience in recent years with the Comptroller General's office, because, as the head of one of our cities in Massachusetts, I have had much to do with the Federal Government insofar as enterprises along the line of public works are concerned. In every one of those activities the Comptroller General held a strong hand. He saw to it that the project itself and the money that was to be expended were in full conformity with the law.

I was a member of the Massachusetts Legislature in 1920 when the State government was reorganized and we had as our objective then economy in government. Today in that State every bill that goes through for payment must go through the department of administration and finance, which is somewhat akin to the office of the Comptroller General in the Federal Government, before it is approved for payment.

When we stop to think how the current expenses of the Government have been increasing down through the last few years from \$2,700,000,000 in 1934 to an estimate this year of rising \$8,000,000,000, it seems to me if there was justification in the establishment of the Comptroller General's office 16 years ago for the purpose of holding a firm hand on the expenditure of Federal money, then today there is 10 times the reason for the continuation of that office in view of the tremendous expenditure that is now taking place from the Federal Treasury.

Mr. Chairman, we are told on the floor of the House by a member of the majority party, whom every one of us respects for his knowledge of Government finance and his general ability, that by the establishment of the new department of public welfare at least a billion dollars more a year will be added to the current expenses of the Government, and he further states it may reach two or three billions. Surely this is not economy. Congress is composed of men whom I feel are experts in every line of human endeavor. It seems to me that the Congress is well qualified to take on the work of reorganization of the Government itself, and working in close cooperation with the President of the United States should produce good results. To admit anything else is to admit we are incompetent to perform the duties and responsibilities we are sent here to perform.



The march of events in Europe and elsewhere within the last few years has attracted the attention and the interest of the people of this country.

They have become alarmed at the possibility that such events might happen here. A feeling of fear and unrest has enveloped the minds of the people of this Nation; they look with apprehension at the further delegation of the powers of the Congress to the Chief Executive. The continual granting of these powers and their concentration in the hands of one man, no matter who he may be, is a dangerous risk this Congress ought not to be continually taking. By this bill we are transferring power to the President in addition to the power we have already transferred to him. We are therefore gradually destroying the independence of the legislative branch of the Government.

Mr. Chairman, for the brief reasons I have illustrated here today, I am very strongly opposed to the passage of this bill. [Applause.]

Mr. COCHRAN. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. STACK].

Mr. STACK. Mr. Chairman, there are not many Members around now, so you can be calm and collected in listening to the few words I have to say.

My understanding of a Representative is that he is the servant, first, of all the people in his district, and then of all the people in the Nation, to do their reasonable bidding. The platform on which I ran in 1934 and 1936 was that, if and when I was elected to Congress, I would try to be the servant of the people of my district. I am conscientiously satisfied that at least I have honestly tried to do that.

I hate to think that this so-called reorganization bill is resolving itself into a religious fight. I would rather consider that we were interested in it and considering it from an American angle. I was a soldier and I learned something about the tactics of war. I have heard it said and have read that in some cases it may be better for a general commanding an army to retreat rather than advance, even though by advancing he may win a victory, if such victory is won at the expense of tremendous casualties. I am telling the Chairman of the Committee, the Speaker of the House, and the President of the United States, who, according to my philosophy of government, is also the servant of the people, that if he is the man of the heart that I think he is he will withdraw this bill and save the casualties that are going to be brought about next November.

I come from the city of Philadelphia. It is my city by adoption, and I make the statement here and now, notwithstanding that the distinguished gentleman, Congressman BRADLEY, is here, that a Democratic Congressman from Pennsylvania who votes for this bill has, in my judgment, a tremendous handicap to overcome at the polls next November.

This is not a question of my religion alone. If Mr. BRADLEY or anybody else wants to take the trouble to look at yesterday's RECORD and examine my remarks, he will find several letters there from Protestant ministers in my district.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. STACK. Gladly.

Mr. KNUTSON. The gentleman must concede that the opponents of this legislation have at no time dragged in the religious issue. That has been dragged in by the other side; am I right?

Mr. STACK. I perfectly agree with that.

Mr. BRADLEY. Mr. Chairman, will the gentleman yield?

Mr. STACK. Gladly.

Mr. BRADLEY. I think it is quite the reverse. Any injection of that issue into this debate has been from the opponents of the measure and they are responsible for the fear being instilled in the minds of the American people, for no reason at all except their endeavor to obscure whatever their own motives might be—

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield?

Mr. STACK. Not now. Let me answer the interrogation of my colleague from Philadelphia. My motives for opposing this legislation are chiefly American and for the

protection of our institutions. But I believe exactly opposite to what you say and I am diametrically opposed to it.

Mr. BRADLEY. That is pretty good—you believe exactly and diametrically different.

Mr. STACK. To what you say.

Mr. BRADLEY. Now, you explain that to me.

Mr. STACK. You say the people who are opposed to this bill forced the religious issue. Is that your point?

Mr. BRADLEY. It has reached such a point that the gentleman has so confused himself, I do not know what he is talking about. You say you believe exactly and you are diametrically opposed.

Mr. STACK. Yes; I believe in this measure exactly opposite to you and am diametrically opposed to your position. You are for the bill, are you not? Well, I am against it. You mentioned Father Coughlin's name I believe.

Mr. BRADLEY. I did not mention the gentleman's name.

Mr. STACK. You inferred the reverend gentleman's name.

Mr. BRADLEY. That is quite right.

Mr. STACK. Do you remember that day in the spring, 1936, when you had a little conversation with me over the phone?

Mr. BRADLEY. At your suggestion.

Mr. STACK. And you begged and pleaded with me to get Father Coughlin's endorsement, agreeing at the same time to sign the pledge to go along with the Social Justice 16 points. You got the endorsement for the primary election of 1936 after you had signed the pledge, but, for reasons known to yourself, the endorsement did not go over to the November election for you. Instead the Honorable Clare G. Fenerty, a former Member of this House, got the endorsement.

Mr. BRADLEY. Mr. Chairman, will the gentleman yield?

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield?

Mr. STACK. I will yield to my distinguished friend from Kansas.

Mr. LAMBERTSON. The gentleman who is your colleague over there said that the opposition had injected this educational feature into the bill. Did not the distinguished Chairman up there say on the floor that he begged the committee to take it out?

Mr. STACK. Possibly, he did.

Mr. BRADLEY. Mr. Chairman, will the gentleman yield?

Mr. STACK. Not now. As I see it, the real opposition to this bill was brought about because of fear and the fear was increased because of the gag rule that was enforced, or tried to be enforced in the consideration of the bill when it first came on the floor. This proposed legislation meant to do many things that the country was afraid of, and rightly so, particularly the proposed establishing of a new department of welfare, which all classes seem to fear. The American Legion, the Veterans of Foreign Wars, and the Military Order of the Purple Heart, and veterans in general are opposed to this particular feature of the bill. The American Federation of Labor, who were denied a hearing before the committee when this bill was being considered, are also opposed to the bill and in my humble judgment, all the citizens of the United States are opposed to the bill and my advice to the leaders of my party is to forget about the bill, pigeonhole it, and start considering real legislation such as H. R. 9628. I am so convinced that the position that I have taken on this bill is so right that I expect my following in my district will be increased by at least 10,000, as I told the distinguished gentleman from Philadelphia, [Mr. BRADLEY], in private conversation.

Mr. TABER. Mr. Chairman, I yield 6 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Chairman, during recent years we have seen Hitler in Germany, Mussolini in Italy, Stalin in Russia, and other dictators grab many powers from the people. While they have been doing this the President of the United States during the past 5 years has not been

any piker. What powers has Congress granted the President of the United States during the past 5 years? They have given him, under the plea of emergency, the power—

To issue \$3,000,000,000 of bank notes as he pleases.

To regulate as he pleases the acquiring and holding of gold, its transportation, treatment, import, and export.

To decree the free and unlimited coinage of silver at any ratio he sees fit.

To devalue the dollar again if he likes.

To dictate the Nation's relief policies and determine the rate of pay granted to W. P. A. workers.

To spend, under the Emergency Relief Act of 1936, billions of dollars, virtually as he chooses.

To operate as he likes a secret fund of \$2,000,000,000 for stabilizing the dollar and maintaining Government bond prices.

To raise or lower the tariff at will, within 50 percent, on any import he selects.

To conclude reciprocal trade treaties without submitting them to Congress.

To suspend trading on every stock exchange in the country for 90 days, at his discretion.

To control, through the Treasury and the Federal Reserve System, the Nation's supply of credit.

To use the cash paid into the social-security reserve fund to meet current deficits.

To control the Nation's agricultural production, under a system of loans, benefits, and penalties for farmers.

To decide, when he likes, that a conflict abroad is a "state of war" or that it "threatens or endangers the peace of the United States," and thus put into effect a complicated system of embargoes, which he may modify or terminate at his discretion.

Those, Mr. Chairman, are the additional powers that have been granted the President since 1933 in addition to the tremendous powers that he had before that time.

Now, Mr. Chairman, the President asks for more power. He has asked for this reorganization bill which would place an additional \$1,000,000,000 of burden on the taxpayers of this country. It gives him power to abolish or combine Federal departments and agencies at his discretion.

To control the Federal civil service by abolishing the Civil Service Commission.

To spend, as he sees fit, the moneys appropriated by Congress, without previous check by a Comptroller General and subject only to an audit after the money is spent.

To extend and strengthen his personal authority over all Government corporations and over the hitherto independent Federal commissions.

And these are still other powers that Mr. Roosevelt is asking urgently of Congress:

To control labor, industry, and business by a complicated wage and hour law.

To set up, under a law creating seven new authorities in seven districts, seven new collectivist experiments like the T. V. A., all run personally by him. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I shall be very brief for I know the Members have had a long, hard day and are tremendously tense over this legislation.

I have been asked to bring to the attention of the House two or three things. Yesterday the distinguished chairman of the Civil Service Committee, the gentleman from Georgia [Mr. RAMSPECK], stated that the reason the postal employees had not been more vocal against this bill was because they had such a very high regard for the gentleman from New York [Mr. MEAD]. I was asked by postal employees to say to the House today that the gentleman from Georgia [Mr. RAMSPECK] was absolutely correct, that the postal employees were, in fact, very much opposed to this measure but they did not want to hurt the gentleman from New York [Mr. MEAD], who had been so kind to them in matters of legislation.

The Federal employees of the American Federation of Labor have come out strongly against the measure.

I also have been asked to say to the House that many of the women of the country, the women who worked so hard to secure a woman as one of the Commissioners on the Civil Service Commission, are entirely opposed to a one-man administration. The first woman appointed to the Civil Service Commission by President Woodrow Wilson was Mrs. Gardiner. There followed fine women as Commissioners, Mrs. Jessie Dell, and at present Lucille McMillan is the woman Commissioner. The hundreds of women workers in the Government believe that they have a right to one member of that Commission. This feeling is shared by women all over the country. I hope the Members will bear this in mind when we reach the civil-service feature of the bill and vote to put a bipartisan commission back in the measure. There is little chance that a woman would be appointed if there were a single administrator.

Let me remind the House that the Civil Service Commission is in charge of 600,000 classified employees and 300,000 nonclassified or political appointees. I want to remind you that from 1932 to 1937 the major items of work, such as examining, have increased from 100 percent to 300 percent. In the fiscal year 1937 they worked overtime 47,900 hours and this was done in an administration that has talked so much about good hours for workers. They put out no propaganda, Mr. Chairman, saying what they accomplish.

I think it is the only department in the entire Government that does not have a publicity bureau. Mr. Chairman, you will agree with me, and you were a member of the Civil Service Committee at one time, that the civil service, with a small appropriation, undermanned, without a propaganda bureau, with many protests and threats lodged against it by politicians and others, has done a remarkably fine job during past years. In fact, for the 55 years of its long life but especially so the past few years, when the volume of work has been terrific.

I hope this great army of workers will not be needlessly harassed, needlessly frightened. It is said an amendment may be agreed to that may improve the civil-service section, but the whole bill should be defeated, because if the bill is amended and passed, it will then go to conference and the Senate will probably put back the objectionable features.

Mr. Chairman, I speak for a great many people from whom I have heard. The letters I have received have not been propaganda letters. They are letters from people who wish to discuss these matters in a frank, fearless, open way, as is their right under the Constitution. They are people who wish to discuss this proposition with the person they sent to represent them on the floor of this Congress. I have always welcomed letters from my constituents. I have always felt flattered they talked over so many matters with me. I spoke against this reorganization bill over the Columbia Broadcasting Co. on Sunday last. Telegrams and letters have come to me from all over the country since then, all but one asking for defeat of the reorganization bill; all expressing the belief that this is no time to pass a reorganization bill. The duty of the President, the duty of the Congress, is to try to get the country out of the depression, to try to get the people back to work, and to try to keep the peace at home and abroad.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, some statements have been had on the floor by the gentleman from Kentucky [Mr. VINSON] to the effect that the part of the Budget and Accounting Act having reference to the Comptroller General is unconstitutional. Frankly, I may say that I have studied that question quite carefully and I have received the opinions of many able lawyers on the subject. I am satisfied it is absolutely constitutional and when we get back into the House I am going to ask unanimous consent to insert in the Record at this point two letters, one from Silas Strawn, a great constitutional lawyer of Chicago, and the other from Hon. Henry L.



Stimson, of New York, another great constitutional lawyer, on this particular subject.

[Here the gavel fell.]

The letters referred to follow:

WINSTON, STRAWN & SHAW,  
Chicago, April 23, 1937.

HON. JOHN TABER,

Congress of the United States,  
House of Representatives, Washington, D. C.

DEAR MR. CONGRESSMAN: I beg to acknowledge your letter of April 17 requesting my opinion on the constitutionality of the provisions of the Budget and Accounting Act (Act of June 10, 1921, c. 18, sec. 304, 42 Stat. 24) as amended, empowering the Comptroller General to make audits and fix the balances of the executive departments, with particular reference to the following inquiries: (1) Is the Comptroller General set up by the act as the agent of Congress? and (2) if he is the agent of Congress, can he, within the Constitution, nevertheless discharge the duties of auditing and fixing the balances of the books of the executive departments?

I am happy to advise you of my opinion, long entertained and recently confirmed by the Supreme Court's decision in the *Humphrey* case (295 U. S. 602), that the Budget and Accounting Act is valid and constitutional.

Turning now to your specific inquiries, it is my opinion that the Comptroller General is the agent or special representative of Congress and that the duties conferred upon him are such as Congress may constitutionally confer upon him.

While the act itself does not expressly designate the Comptroller General as the agent of Congress, an analysis of the powers conferred upon him by the act clearly shows that the principal purpose of title III thereof, providing for the General Accounting Office, was to create a legislative agency entirely independent of the Chief Executive that would effectively be able to prevent Executive departures from the terms of appropriations made by Congress and to enable Congress to discharge its fiscal responsibility by insuring that its appropriation orders were fully complied with.

This intent of Congress in enacting the legislation is also evidenced by the discussion and debates in Congress when the bill was under consideration and by the language and terms of the act itself. The act declares that the office shall be "independent of the executive departments" (sec. 301). It also provides that the Comptroller shall carry out his responsibilities "without direction from any other officer" (sec. 304), and that he shall report directly to Congress (sec. 312).

Furthermore, there are numerous provisions directing the Comptroller to act for Congress as a fact-finding agency in the matter of investigating the conduct of affairs by the executive departments and recommending legislation by which a more effective control of public expenditures may be achieved. See, for example, section 312 of the act (31 U. S. C., sec. 53) providing for the making of certain investigations and reports desired by Congress.

A study of the act, so far as it deals with the General Accounting Office, demonstrates a conviction on the part of Congress that it should have its own agency through which it might effectively discharge its responsibilities for public expenditures.

Prior to the decision by the Supreme Court of the *Humphrey* case (295 U. S. 602), it was sometimes contended that the Budget and Accounting Act was unconstitutional under the decision of the Supreme Court in the case of *Myers v. United States* (272 U. S. 52) on the theory that the Comptroller General was a public official and, under the terms of the act (sec. 303) was not removable by the President. In this connection it should be noted that the *Humphrey* decision flatly limited the holding of the *Myers* case to the proposition that the President's power of removal relates only to executive officers, and held that the President does not have the unqualified right to remove an official whose functions are of a legislative and judicial quality rather than of an executive quality.

It is also interesting to note the opinion of James M. Beck, former Solicitor General of the United States, who argued the *Myers* case in the Supreme Court, that it was doubtful that the President could remove quasi legislative officials. Thus, the *New York Times* (November 7, 1926) attributes the following language to Mr. Beck:

"Moreover the decision does not decide whether or not there may not be a class of officers who are not in strictness executive officers. For example, the Federal Trade Commission is chiefly a fact-finding commission to aid Congress in formulating legislation. The Interstate Commerce Commission is a fact-finding commission which discharges the so-called legislative duty of imposing reasonable rates upon carriers. The Comptroller General is regarded as the special representative of Congress in seeing that its appropriations are faithfully disbursed.

"Can the President remove such quasi-legislative officials? This decision (*Myers v. United States*) is not conclusively upon this point, and properly so, for no case of this character was before the Court." (W. F. Willoughby's *The Legal Status and Functions of the General Accounting Office*, etc., p. 15.)

This comment foreshadows the *Humphrey* decision (295 U. S. 602) where the Court (p. 631) cites James Madison's view that the duties of the Comptroller of the Treasury "partook of the judiciary quality" in support of the proposition that the President's unlimited power of removal does not extend to other than

executive officers. Madison's opinion to this effect can be found in 1 *Annals of Congress*, columns 611-612.

The possible question remains as to whether or not the powers conferred upon the Comptroller General are powers granted to Congress or to the President. Under the "separation of powers" theory, the necessity of maintaining each of the three general departments of government free from control of either of the other two is not open to question. It is my opinion that the powers delegated to the Comptroller General, including the power to audit and fix the balances of the executive departments, are not powers bestowed by the Constitution on the Chief Executive, but powers conferred by the Constitution on Congress.

Article I, section 9, clause 7 of the Constitution provides:

"No money shall be drawn from the Treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time."

This provision makes Congress solely responsible for the expenditure of public moneys. That the responsibility of giving orders as to the expenditure of public moneys involves taking the action necessary to see that full compliance with its orders is had, seems obvious, particularly in view of the "necessary and proper" clause of article I, section 8, clause 18 of the Constitution. Responsibilities do not end with the giving of orders, but with their proper execution.

For the proposition that the Comptroller General is exercising legislative powers constitutionally bestowed upon him and that such powers do not violate the "separation of powers" theory, see W. W. Willoughby's *The Legal Status and Functions of the General Accounting Office of the National Government*, pages 31-38, inclusive. It is interesting to note that this book was written after the decision by the Supreme Court of the *Myers* case (272 U. S. 52) and before the decision by the Supreme Court of the *Humphrey* case (295 U. S. 602), which limited the *Myers* case, as indicated above, and expressly disapproved various dicta in that opinion which went beyond the proposition to which the case is now limited.

In addition to the power conferred on Congress by article I, section 9, clause 7, quoted above, I wish to stress the point that the Constitution vests Congress with the administrative power. Although the Constitution is silent with respect to the exercise of such power, except for incidental references to the executive departments, it was undoubtedly the intention of the framers of our Constitution that supreme administrative authority should be given Congress and not the President. W. W. Willoughby's *Constitutional Law of the United States*, Students' Ed., 1912, pages 478-479. This constitutional authority of Congress to retain final administrative control has been amply sustained by the courts. See *United States v. Kendall* (5 Cranch, O. C. 163, Fed. Cs. No. 15517); and *Kendall v. United States* (12 Peters 524).

The doctrine of these early cases has never been disturbed, and is supported by the recent *Humphrey* decision (295 U. S. 602), which evidences the impotency of the President to interfere with the administrative agencies set up by Congress.

Accordingly, the argument that the auditing and fixing of executive balances represents an exercise of Executive power is without legal foundation and is unsound. Admittedly, certain functions of the Comptroller General are administrative in character, but to conclude from this that in carrying out such duties the Comptroller is exercising power conferred upon the Executive is without merit. This argument loses sight of the distinction between executive and administrative powers and fails to recognize that the source of administrative power resides in Congress. While Congress can delegate its administrative power to the President, it is under no compulsion or direction so to do.

The provision of the act (sec. 312) authorizing the President to request reports from the Comptroller General is plainly incidental to the main purpose of the act and is merely in furtherance of the quasi-legislative or quasi-judicial powers of the Comptroller as the special representative of Congress. See the opinion in the *Humphrey* case (295 U. S. 602, p. 628).

When the duties of the present Comptroller were exercised by the Comptroller of the Treasury, the office was subordinate to that of the Secretary of the Treasury, and there was always the possibility that if the Comptroller's action ran counter to the desires of the Secretary or the President, he might be removed from office. This circumstance meant that in fact the Comptroller of the Treasury was under the coercive control of the President, and that in fact the President could impose his will on Congress in violation of its constitutional responsibilities and of the "separation of powers" theory. Thus, the chief purpose of title III of the Budget and Accounting Act creating the General Accounting Office was not to change or add to the duties formerly performed by the Comptroller of the Treasury and the six auditors for the departments, but to secure the independence of the General Accounting Office from the executive departments, and to make it directly accountable to Congress. This purpose, in fact, is in furtherance of the "separation of powers" theory.

Admitting that the physical custody of public funds is in the hands of the executive officer known as the Treasurer, nevertheless, the legal custody of such funds is conferred upon Congress (art. I, sec. 9, clause 7, quoted above) and should not be subject to indirect Executive influence.

The fact that the President has power to appoint the Comptroller General no more indicates that the Comptroller is an executive officer than the fact that because the President must



appoint Federal judges they are ipso facto executive officials subject to removal by the President. Turning again to the *Humphrey case* (295 U. S. 602), the Court, after analyzing the powers of the Federal Trade Commission and concluding that that body is an administrative body whose "duties are neither political or executive but predominantly quasi-judicial and quasi-legislative" (p. 624), said at page 629:

"The authority of Congress, in creating quasi-legislative or quasi-judicial agencies, to require them to act in discharge of their duties independently of executive control cannot well be doubted; and that authority includes, as an appropriate incident, power to fix the period during which they shall continue in office, and to forbid their removal except for cause in the meantime. For it is quite evident that one who holds his office only during the pleasure of another cannot be depended upon to maintain an attitude of independence against the latter's will."

Again, at page 630, the Court, after restating the doctrine of the "separation of powers" and quoting Justice Storey for the proposition that neither of the departments "ought to possess, directly or indirectly, an overruling influence in the administration of their respective powers," said:

"The power of removal here claimed for the President falls within this principle, since its coercive influence threatens the independence of a commission, which is not only wholly disconnected from the executive department, but which, as already fully appears, was created by Congress as a means of carrying into operation legislative and judicial powers, and as an agency of the legislative and judicial departments."

While the constitutionality of the Budget and Accounting Act is not controlled by the *Humphrey* decision, nevertheless, certain parallels can be drawn between that act and the act creating the Federal Trade Commission under consideration in the *Humphrey* case. The Budget and Accounting Act may be said to implement the fiscal powers of the Federal Government in the same manner that the Federal Trade Commission (and other Federal agencies) implements the commerce powers of Congress.

The inherent reasonableness of the Budget and Accounting Act as a proper means of carrying out the will of Congress is confirmed by the acquiescence of the executive department in the enforcement of the act over a period of nearly 16 years, and is likewise confirmed by the presumption of constitutionality that protects all congressional enactments. I am unable to find any substantial basis for the view that the provisions of the act under consideration are other than constitutional.

From the foregoing I categorically answer the questions as stated by you in the order propounded:

First. As to whether or not the Comptroller General is set up by the Budget law specifically as the agent of Congress.

The Comptroller General is clearly constituted the agent or special representative of Congress under the Budget and Accounting Act.

Second. As to whether or not, if he is set up as the agent of Congress, can he still perform the functions of auditing and fixing the balances upon the books of the executive departments under the Constitution.

The Comptroller General, as the agent of Congress, can constitutionally perform the functions of auditing and fixing the balances upon the books of the executive departments.

Very truly yours,

SILAS H. STRAWN.

THIRTY-TWO LIBERTY STREET,  
New York, April 26, 1937.

HON. JOHN TABER,  
Select Committee on Government Organization,  
House of Representatives, Washington, D. C.

DEAR MR. TABER: I received your letter of April 17th and have succeeded in giving the questions to which you called my attention some consideration. I submit herein some rather informal observations in order for you to be able to see, after you have read them, whether you desire any more careful decision of my views or more formal expression of them to you.

The question seems to have arisen because the Congress in the Budget and Accounting Act in creating the Comptroller General conferred upon him some functions which were in aid of the legislative branch of the Government and others which were in aid of the executive. I have examined the hearings of the Special Committee on the Budget in 1919, before which I was myself a witness, and also the reports of that committee in presenting its bill as well as the successor bill to Congress, and the debates which then took place upon this subject. While my examination has necessarily been cursory, I think that there can be no question that it was one of the most important, if not the most important purpose of Congress to create an officer who should represent and assist Congress in its consideration of the Budget and of appropriations made thereunder, and who in performing these duties should be entirely free from Executive domination or influence. Thus Mr. Good, the chairman of the committee, in the debates upon both the original bill of 1919 and the second bill which resulted in the present law in 1921 said of the Comptroller: "This officer is to be the arm of the Congress" (CONGRESSIONAL RECORD, p. 1080, vol. 61; CONGRESSIONAL RECORD, p. 8610, vol. 59).

In creating such an officer the committee apparently had in mind as a prototype the office of the British comptroller and auditor general who exercises similar functions on the part of the House of Commons in respect to the budget of Great Britain.

This British officer, while appointed by the Crown and serving during good behavior, can be removed from office only upon address from both Houses of Parliament and is considered solely responsible to the House of Commons and entirely independent of the treasury and all executive departments.

The principal function of this British officer is to make it possible for the House of Commons to check up on the financial operations of the Cabinet. This work is purely a postaudit performed after the expenditures have been made and is in no sense executive or administrative. He has no concern with keeping general accounts but merely searches, inquires, and reports to the House or its committees (see testimony Willoughby before Select Committee on the Budget hearing, 66th Cong., 1st sess., p. 64; see also *The Budget in Governments of Today*, Buck, pp. 271-274). In his performance of these duties he is purely, as Mr. Good said, "an arm of the legislative branch" unembarrassed by any relations with the executive.

In the case of our Comptroller General, Congress not only gave him powers similar to the foregoing to be performed for the legislature but transferred to him the powers which had formerly been exercised by the Comptroller of the Treasury and his six auditors (Budget Act, sec. 304). These duties included some which were clearly executive, such as the duty of rendering on the Executive's request under the Dockery Act of 1894, advance decisions as to whether a future payment should be made. Such a decision on its face would be entirely different from the Comptroller's function as an arm of Congress and it would seem inevitably to disqualify him from thereafter impartially criticizing for the Congress that particular payment after it had been made. Under the British system such advance decisions or preaudits are made, not by the Comptroller and Auditor General, but by an officer of the Treasury itself; i. e., by a branch of the executive.

Although I have not in detail considered it, I should say also that the American Comptroller General's function of stating the balances of the executive departments would be similarly a purely executive function and might also be embarrassing to his function as the arm of Congress in criticism of the Executive. These points have always seemed so clear to me that when I was a witness before Mr. Good's committee in 1919 I cautioned them against combining such preaudit and postaudit functions in any officer whom they might create to assist the Congress (see hearings before Select Committee, p. 644, 66th Cong., 1st sess.).

In the first bill the Congress, in pursuance of its desire to make the Comptroller General entirely independent of the executive, provided that he should be removed only on concurrent resolution of the Congress. President Wilson vetoed that bill on the ground that the Constitution required that such removal should be vested solely in the President. The present bill was then passed providing for removal by joint resolution; that is, by action of both the Executive and the Congress. Apparently the constitutionality of this last provision has never been passed upon by the courts.

In the light of the foregoing I should be inclined to answer your two inquiries, as follows:

First. I think that the Comptroller General is set up by the Budget law specifically but not exclusively as the agent of Congress. There are combined with his duties as such agent certain functions which he exercises for the Executive.

In answer to your second question, my first impression is that, whatever the wisdom of the step, it would probably not be unconstitutional to combine in the Comptroller the two classes of functions which we have mentioned; that is, of making investigations and reports for the Congress to assist it in its legislative duties and of making investigations and rendering decisions for the Executive in the performance of its executive functions. It does not seem to me, offhand, that the function which he exercises for the Legislature is in itself a legislative act. It is merely the ascertainment of facts to aid the Legislature in performing such legislative acts. Therefore his position is not open to the objection of combining purely executive and purely legislative acts in one officer or body. (See *Springer v. Philippine Islands*, 277 U. S. 189, at 202-3). Without having made any thorough examination of the authorities, I do not see, offhand, any constitutional reason which would prevent the creation of an independent officer upon whose investigation and findings in their respective spheres, both the Executive and Legislature might predicate their respective constitutional action.

But I am not prepared to say that the existing method of the removal of the Comptroller General is a constitutional method. He is an officer of the United States, appointed by the President on the advice of the Senate. He exercises some functions which are purely in aid of the Executive and some which are purely in aid of the Legislature. Thus far the Supreme Court has gone merely to the extent of holding that "purely executive officers" could be removed only by the President (*Myers v. United States*, 272 U. S. 52, as limited by *Humphrey's Executor v. United States*, 295 U. S. 602).

The Court further has held that, in respect to an officer or board exercising quasilegislative and quasijudicial powers combined with the exercise of certain executive functions which were merely collateral to the discharge and effectuation of such above-mentioned quasilegislative and quasijudicial powers, it was competent for the Congress to restrict his removal by the President to a removal for inefficiency, neglect of duty, or malfeasance in office (*Humphrey's Executor v. United States*, 295 U. S. 602).

Between these two points actually decided in the foregoing cases the Court avowedly left undecided, for future action, a zone of



possible cases. So far as I am aware, the Court has never held that Congress would be permitted to share with the executive power by joint resolution the removal of an officer of the United States. In fact, in the Humphrey case counsel relied upon the fact that Congress did not so share in the removal power as ground for arguing that the statute involved in that case was constitutional.

I therefore cannot advise you that the method provided in the present Budget law for the removal of the Comptroller General is constitutional. I am inclined to think that there is great danger that it might not be so held. But on the authority of the Humphrey decision it would now seem probably constitutional for Congress to achieve practically the same purpose of making the Comptroller General an independent officer, free from Executive domination, by providing that he could not be removed by the Executive except for inefficiency, neglect of duty, or malfeasance in office.

I am not sure that the foregoing discussion will be of any great help to you in your problem. But if there is any further way in which I can be of assistance, I should be glad to try to do so.

Very sincerely yours,

HENRY L. STIMSON.

Mr. COCHRAN. Mr. Chairman, I yield myself such time as may be necessary to make a brief statement.

Mr. Chairman, in closing the debate on this bill, I think every Member of the House must admit there has been a fair division of time so far as the requests that have been made on me are concerned. Every Member has been recognized with the exception of two or three who were not here when their names were called.

I want to urge the Members to be present tomorrow at noon, because the gentleman from New York [Mr. O'CONNOR] has announced he will offer an amendment to strike out the enacting clause, which, if adopted, will kill the bill, as we all know.

Under the regular rules of the House, but 5 minutes is allowed on each side for debate. Unless there is a unanimous consent agreement the vote will be taken when 10 minutes have been consumed. I sincerely hope, therefore, that all Members will be present. I have promised that no unanimous-consent requests would be granted this evening, and I intend to keep that promise.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from New York.

Mr. O'CONNOR of New York. First, if a motion to strike out the enacting clause prevails, no harm is done to the program of reorganization, because we have already passed a reorganization bill which is over in the Senate and that body can go ahead and act. Why we turned this double somersault by passing a bill the second time, I cannot conceive, nor can certain other Members.

Mr. COCHRAN. The gentleman is too good a parliamentarian not to understand why it is necessary. There is no use explaining it because he knows as well as I know and I would be consuming time if I endeavored to explain to him.

Mr. O'CONNOR of New York. I know we passed a bill providing for reorganization last year that is now over in the Senate. The gentleman is trying to get us to pass a bill the second time, so that if we struck out the enacting clause we would still have the reorganization bill over in the Senate. On the second point, I hope the gentleman will be liberal on the motion to strike out the enacting clause. We ought to have about 2 hours' debate on that motion.

Mr. COCHRAN. I think the gentleman had better appeal to the Members of the House and not to me, as I am only 1 of 435 Members.

Mr. O'CONNOR of New York. The gentleman said there would be only 10 minutes debate, but after the motion is made a Member may rise and move to strike out the last word, the second word, the third and fourth and part of the fifth word.

Mr. COCHRAN. Probably if the Chair recognized gentlemen, the debate can be prolonged in that way.

Mr. MICHENER. Will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Michigan.

Mr. MICHENER. I want to thank the gentleman for what he said about liberality in debate. The gentleman is a

splendid man. He is always courteous. May I ask him this: In view of the fact that he fought every inch of the way to close debate all along and lost, is he not happy now that he has lost and that an opportunity has been given the Members of the House to express themselves regardless of the attitude of the leadership, as expressed by the gentleman whom I am addressing?

Mr. COCHRAN. In answer to the gentleman from Michigan, let the RECORD show that when I made the motion to close debate there was pending but one request that had been made for time. That request was by a gentleman who had consumed 30 minutes and had used time even before the bill was called up in the House.

Mr. MICHENER. I just wanted to know if the gentleman did not feel better in view of what has happened.

Mr. COCHRAN. I do not think I lost my good nature at any time since the bill has been up for consideration, and I do not propose to.

Mr. MICHENER. I am sure of that.

Mr. RAYBURN. The gentleman's feelings would not show in the RECORD anyway.

Mr. COCHRAN. Mr. Chairman, in closing this debate I want to say in my opinion this reorganization bill is unquestionably one of the most important measures to come before this session of the Congress. For nearly 50 years the need of reorganization of the Federal departments and independent agencies has been recognized. A committee was appointed by the Congress to investigate and to make recommendations for the reorganization of the Government back in 1875, another in 1882, still another in 1887, and again in 1893 and 1894. These committees made extensive investigations and reports, but no action was taken. Theodore Roosevelt, during his term of office, urged reorganization, and a committee of Congress was at work then. During the administration of President Taft a special Commission on Efficiency and Economy was created upon his recommendation, but again nothing came of it. Presidents Woodrow Wilson, Warren Harding, Calvin Coolidge, and Herbert Hoover all recognized the great need for improving the executive machinery of the Government, and urged that something be done about it, but no changes of any importance were made. All this while the number of independent boards, commissions, authorities, administrations, departments, and bureaus was constantly increasing. In 1932 Congress granted to President Hoover the authority to make transfers and consolidations and otherwise to reorganize the administrative branch of the Government by Executive order. This authority was renewed in 1933 and granted to President Roosevelt for the first 18 months of his term. This act of Congress, which was much broader in scope than the reorganization bill, was signed by President Hoover on March 3, 1933. President Hoover recommended that this authority be granted to his successor in the following words:

We may frankly admit the practical difficulties of such reorganization. Not only do different factions of the Government fear such reorganization, but many associations and agencies throughout the country will be alarmed that the particular function to which they are devoted may in some fashion be curtailed. Proposals to the Congress of detailed plans for the reorganization of the many different bureaus and independent agencies have always proved in the past to be a signal for the mobilization of opposition from all quarters which has destroyed the possibility of constructive action.

The need for reorganization was never greater than it is at present. The number of departments and independent agencies has grown until now there are more than 130. The Federal Government needs to follow the example of many of the States and reorganize this vast machinery of overlapping and duplicating agencies and bureaus. To refuse to do so now may mean that it will be left undone for another 50 years of futile effort.

It is conceded on all sides by those who are familiar with the history of the attempts at reorganization that the only way in which it can be brought about is to grant the necessary authority to the President, under such limitations, restrictions, and standards as Congress may prescribe. This is

exactly what is proposed in the pending reorganization bill. The authority is granted to the President for a limited time—2 years. The authority granted to the President does not in any way prohibit the Congress from making any reorganization by law which the Congress may see fit to do. Congress does not in any way give up its authority to reorganize the executive agencies by direct legislative act.

Why, then, has all this furor and misrepresentation been raised about the reorganization provision of this bill? If it was sane and salutary to vest this authority in President Hoover in 1932 and in President Roosevelt in 1933, why has it now become a "dangerous concentration of Executive authority"? I have yet to hear anyone cite a single case of abuse of this authority by the President when he had it under much broader provisions in 1933 and 1934. The reason why a campaign of fear and misrepresentation has been carried on about this provision is now clear. The public has been led to believe by a widespread campaign of fear and misinformation that this bill would make the President a virtual dictator. This campaign is not based upon what the bill contains. There is nothing whatever in the bill to justify these charges. There is nothing new or radical in this bill. All of the authority vested in the President by this bill has been granted to him on previous occasions. The bill follows very closely the reorganization provisions which have been adopted in more than half of the State governments and by many of our cities.

Let us consider another major provision of the bill. It provides for a single civil-service administrator and for a civil-service board of seven members in the place of the present Civil Service Commission. This change has been recommended on numerous occasions within recent years by civic organizations. It was recommended by President Hoover in 1932. At that time I introduced in the House of Representatives a bill providing for a single Civil Service Administrator and no one then criticized the bill on the ground that it would give too much authority to the President. Last year 5 States adopted civil-service laws for the first time, and in every one of these States provision was made for a single civil-service administrator. No large business corporation would think for a moment of setting up a personnel board headed by a commission of three members. Business and industrial corporations use a single personnel director in order to get efficient administration. This is exactly what we propose in the Government. The reorganization bill provides for the extension of the civil service. In order to extend the civil service, however, it is necessary to improve the efficiency of the administration by placing a single responsible executive officer in charge.

Another major feature of the reorganization bill relates to auditing and accounting. The bill creates an auditor general whose business it is to make an independent audit of the expenditures of the departments and to report to Congress so that it may know how the appropriations which it has voted have been expended. I am sure that most of you will be amazed when I say that Congress has never in the entire history of this country received an independent audit report upon the expenditures of the public funds. The provision in the reorganization bill for a prompt, careful, and complete audit of every dollar spent by the executive departments is one of the most salutary steps which can be taken to safeguard public funds. No business concern would think of going along from year to year without having an outside or independent audit made of its books, and a report to the board of directors. That is exactly what is proposed in the reorganization bill.

At the present time we have a Comptroller General who is both a comptroller and an auditor. The result has been that his time has been taken up with his controlling functions, and he has not made audit reports to Congress. What we propose to do is to follow the almost universal practice in business and in Government: To divide the work of comptrolling and auditing and to place the independent audit under a new official, an auditor general, who will be responsi-

ble only to the Congress. The Comptroller General, who, under this bill, will be the chief accounting officer, will be in the executive branch under the President. Prior to 1921 the comptroller was in one of the executive departments, the Treasury. There is nothing dangerous about this change. It merely follows the most approved principles of financial management. It is the practice in all business concerns to place the comptroller under the manager or executive officer. The safeguards against improper and illegal expenditures are strengthened by this bill. Yet we have heard all sorts of misrepresentations about this feature of the reorganization bill. It has been asserted that it would take away from Congress the control over the purse. Nothing could be further from the truth. The control by Congress will be greatly increased by this bill, because Congress will have for the first time an independent audit and a means whereby executive officers may be held to strict accountability for their use of public funds. It is interesting to note that the United States Chamber of Commerce in 1934 made the identical recommendation. A distinguished committee of outstanding businessmen headed by Matthew S. Sloan in 1934 stated:

The committee is convinced that accounting should be segregated from auditing and that accounting should be centralized in an agency under the control of the President. Such a system would provide the administration with machinery necessary to establish control over expenditures and also afford Congress an independent agency for checking the fiscal operations of the administration.

There should be a General Accounting Office under the control of the President; this office should have the responsibility of reorganizing the accounting system, standardizing accounting, and incorporating those modern features which will afford the data indispensable for a satisfactory periodic check-up and control of fiscal operations (pp. 16 and 18).

The reorganization bill provides for the creation of a Department of Welfare. At the present time there are more than 30 separate bureaus and independent agencies of the Government carrying on welfare and health work. These activities do not belong in any of the existing 10 departments of the Government. This is indicated by the fact that they are at the present time spread over practically all of the regular departments. As far back as 1923 President Harding recommended the creation of a welfare department. A joint committee of Congress in 1924 recommended its creation. Everyone knows that the welfare work of the Government has greatly increased since that time. There can be no satisfactory reorganization of the Government without the provision for a welfare department. These activities of the Government can be administered with greater efficiency and economy if they are located in one department.

I want to quote briefly from Walter Lippmann in his column *Today and Tomorrow* of April 5. Walter Lippmann, it will be remembered, was a supporter of Governor Landon in 1936. He has been opposed to many of the New Deal policies. Concerning the reorganization bill, he stated:

So the question for me is whether an essentially good bill ought to be defeated, not on its merits but on the general ground that it is a good moment to clip the personal authority of Franklin D. Roosevelt. It is the question of whether the end justifies the means.

But to reach this end by defeating an essentially good measure, and to defeat this measure by an agitation that disregards the intrinsic merits of the issue is a most undesirable procedure in a democracy. To do that is to stoop to conquer and to make the end justify the means. That is something that the champions of liberty in the world today cannot afford to indulge in. For the essence of popular government depends upon the conviction that issues will be determined by a debate that seeks the truth. And, in the long run, I cannot believe that any good can come from anything which undermines this conviction.

Mr. Chairman, I move that the Committee do now rise.  
The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. McCORMACK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill S. 3331, had come to no resolution thereon.



## EXTENSION OF REMARKS

Mr. SIROVICH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech I delivered in the House a few years ago.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter addressed to the Members of the House by R. T. Barry, secretary of the trustees and members of the Group Health Association, Inc.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BRADLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. CITRON] may be permitted to extend his remarks in the RECORD and to include therein a letter which he received from the Secretary of State.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LEAVY asked and was given permission to extend his own remarks in the RECORD.

Mr. BOYER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short editorial from the Quincy Herald-Whig, my home paper.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FRED M. VINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. KLEBERG] may have permission to extend his own remarks in the RECORD and include therein certain data with reference to the formation of bureaus and agencies of the Government.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. FRED M. VINSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein certain newspaper statements and certain excerpts from hearings.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. HENNINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein editorials from the St. Louis Star-Times and the St. Louis Post-Dispatch.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting three very short radio addresses made today over station WJSV.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BATES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement by Senator HARRY F. BYRD on the costs of government.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. TABER. Mr. Speaker, I ask unanimous consent to extend in the RECORD the remarks I made today in Committee of the Whole and to include therein two letters I have received.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to include in the revision of my remarks made this afternoon three or four brief telegrams.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## PERMISSION TO ADDRESS THE HOUSE

Mr. RAYBURN. Mr. Speaker, under special order made on the 31st of March, the gentleman from Alabama [Mr. HOBBS] was granted permission to address the House for 30 minutes on tomorrow at the conclusion of the legislative program of the day. The gentleman from Alabama cannot be here on tomorrow, and he has requested me to ask unanimous consent that the gentleman from Nebraska [Mr. McLAUGHLIN] may have time granted to the gentleman from Alabama.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

## LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to Mr. HOBBS for 10 days on account of the deaths of his mother and his nephew.

## ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 7836. An act to amend the Agricultural Adjustment Act, as amended, by including hops as a commodity to which orders under such Act are applicable; and

H. R. 9605. An act to provide for a commissioned strength of 14,659 for the Regular Army.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 284. An act for the relief of Clear Creek Mountain Springs, Inc.;

S. 1448. An act for the relief of the Northeastern Piping & Construction Corporation, of North Tonawanda, N. Y.;

S. 1660. An act for the relief of Essie E. Leatherwood; and

S. 3464. An act to extend the Metlakatla Indians' Citizenship Act.

## ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 30 minutes p. m.) the House adjourned until tomorrow, Thursday, April 7, 1938, at 12 o'clock noon.

## COMMITTEE HEARINGS

## COMMITTEE ON NAVAL AFFAIRS

There will be a meeting of the full open Committee, Naval Affairs, at 10 a. m. Thursday, April 7, 1938; continuation of consideration of H. R. 9315, to regulate the distribution, promotion, and retirement of officers of the line of the Navy, and for other purposes.

## COMMITTEE ON THE PUBLIC LANDS

There will be an executive session of the Committee on the Public Lands, Thursday, April 7, 1938, at 10:30 a. m., in room 328, House Office Building.

## COMMITTEE ON RIVERS AND HARBORS

The Committee on Rivers and Harbors will meet Thursday, April 7, 1938, at 10:30 a. m., to hold hearings on H. R. 8327.

## COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of Mr. MALONEY's subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Thursday, April 7, 1938. Business to be considered: Continuation of hearings on S. 1261—through rates.

There will be a meeting of Mr. BULWINKLE's subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Thursday, April 7, 1938. Business to be considered: Hearings on H. R. 9073—to extend services of the Cape Fear River.

There will be a meeting of Mr. EICHER's subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m. Monday, April 11, 1938. Business to be considered: Hearings on S. 3255, a bill to regulate over-the-counter marketing.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, April 12, 1938. Business to be considered: Hearing on H. R. 9047—control of venereal diseases, and other kindred bills.

#### COMMITTEE ON FLOOD CONTROL

Set forth below are dates, times of meetings, subjects of hearings, and parties to be heard, with respect to a number of hearings scheduled before the Flood Control Committee:

The Committee on Flood Control will continue hearings on Thursday, April 7, 1938, at 10 a. m. Local representatives of the upper Ohio and tributaries on levees, walls, and reservoirs will be heard.

The Committee on Flood Control will continue hearings on Friday, April 8, 1938, at 10 a. m. Local representatives of the Los Angeles area will be heard.

The Committee on Flood Control will continue hearings on Saturday, April 9, 1938, at 10 a. m. Local representatives of other drainage-basin areas will be heard.

The Committee on Flood Control will continue hearings on Monday, April 11, 1938, at 10 a. m. Local representatives of the Red River and tributaries will be heard.

The Committee on Flood Control will continue hearings on Tuesday, April 12, 1938, at 10 a. m. Local representatives of the Arkansas River and tributaries will be heard.

The Committee on Flood Control will continue hearings on Wednesday, April 13, 1938, at 10 a. m. Local representatives of the White River and tributaries will be heard.

The Committee on Flood Control will continue hearings on Thursday, April 14, 1938, at 10 a. m. Local representatives of the Missouri River and tributaries will be heard.

The Committee on Flood Control will continue hearings on Friday, April 15, 1938, at 10 a. m. Local representatives of the lower Mississippi River and other tributaries will be heard.

The Committee on Flood Control will continue hearings on Saturday, April 16, 1938, at 10 a. m. Local representatives of the lower Mississippi River and other tributaries will be heard.

The Committee on Flood Control will continue hearings on Monday, April 18, 1938, at 10 a. m. Senators and Members of Congress will be heard.

#### COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Merchant Marine and Fisheries Committee will hold hearings at 10 a. m. in room 219, House Office Building, on the following bills on the dates indicated:

Tuesday, April 12, 1938:

H. R. 6797. To provide for the establishment, operation, and maintenance of one or more fish-cultural stations in each of the States of Oregon, Washington, and Idaho.

H. R. 8956. To provide for the conservation of the fishery resources of the Columbia River; establishment, operation, and maintenance of one or more stations in Oregon, Washington, and Idaho and for the conduct of necessary investigations, surveys, stream improvements, and stocking operations for these purposes.

S. 2307. To provide for the conservation of the fishery resources of the Columbia River, establishment, operation, and maintenance of one or more stations in Oregon, Washington, and Idaho, and for the conduct of necessary investigations, surveys, stream improvements, and stocking operations for these purposes.

Thursday, April 14, 1938:

H. R. 8533. To amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316).

Tuesday, April 19, 1938:

H. R. 5629. To exempt motorboats less than 21 feet in length not carrying passengers for hire from the act of June 9, 1910, regulating the equipment of motorboats.

H. R. 7089. To require examinations for issuance of motorboat operator's license.

H. R. 8839. To amend laws for preventing collisions of vessels, to regulate equipment of motorboats on the navigable waters of the United States, to regulate inspection and manning of certain motorboats which are not used exclusively for pleasure and those which are not engaged exclusively in the fisheries on inland waters of the United States, and for other purposes.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1217. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 25, 1938, submitting a report, together with accompanying papers and illustrations, on studies and investigations of beach erosion at Daytona Beach, Fla., made by the Beach Erosion Board, in cooperation with the State of Florida, acting through the Engineering Experiment Station, University of Florida, and the city of Daytona Beach, Fla., as authorized by the River and Harbor Act approved July 3, 1930, and the act of Congress approved June 26, 1936 (H. Doc. No. 571); to the Committee on Rivers and Harbors and ordered to be printed, with 12 illustrations.

1218. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 4, 1938, submitting a report, together with accompanying papers and illustrations, on reexamination of Hudson River, N. Y., between Albany and Waterford, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted January 27, 1937 (H. Doc. No. 572); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. FADDIS: Committee on Military Affairs. S. 3590. An act to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended by the act of June 4, 1920, so as to make available certain other officers for General Staff duty; with amendment (Rept. No. 2099). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAINES: Committee on the Post Office and Post Roads. H. R. 9601. A bill to amend the acts for promoting the circulation of reading matter among the blind; with amendment (Rept. No. 2100). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROMJUE: Committee on the Post Office and Post Roads. H. R. 8037. A bill to amend the law relating to appointment of postmasters; with amendment (Rept. No. 2101). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 7793. A bill for the relief of Nicholas de Lipski; without amendment (Rept. No. 2098). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. VOORHIS: A bill (H. R. 10173) to amend section 5 of Public Law No. 738 of the Seventy-fourth Congress; to the Committee on Flood Control.



By Mr. BIGELOW: A bill (H. R. 10174) to amend an act entitled the "Emergency Farm Mortgage Act of 1933"; to the Committee on Agriculture.

By Mr. BOLAND of Pennsylvania: A bill (H. R. 10175) to provide for the education of all types of physically handicapped children, to make an appropriation of money therefor, and to regulate its expenditure; to the Committee on Education.

By Mr. EICHER: A bill (H. R. 10176) to amend the anti-trust laws; to the Committee on the Judiciary.

By Mr. DUNN: A bill (H. R. 10177) authorizing the organization of a full regiment of colored combat troops as a part of the National Guard of the State of Pennsylvania; to the Committee on Military Affairs.

By Mr. SPENCE: A bill (H. R. 10178) to amend section 8 of the National Defense Act, and for other purposes; to the Committee on Military Affairs.

By Mr. BUCKLER of Minnesota: A bill (H. R. 10179) to amend the Wisconsin Chippewa Jurisdictional Act of August 30, 1935 (49 Stat. 1049); to clarify the act, to make it more equitable, and to extend the time for filing; to the Committee on Indian Affairs.

By Mr. MAY: Concurrent resolution (H. Con. Res. 48) creating a congressional committee to investigate the need for Government reorganization; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURDICK: A bill (H. R. 10180) for the relief of the International Oil Co., of Minot, N. Dak.; to the Committee on Claims.

By Mr. CLARK of North Carolina: A bill (H. R. 10181) granting an increase of pension to Mertie Lorain Anderson; to the Committee on Pensions.

By Mr. DISNEY: A bill (H. R. 10182) granting a pension to D. F. MacMartin; to the Committee on World War Veterans' Legislation.

By Mr. HOFFMAN: A bill (H. R. 10183) granting an increase of pension to Inez Clair Bandholtz; to the Committee on Pensions.

By Mr. McGRATH: A bill (H. R. 10184) for the relief of William H. Radcliffe; to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4761. By Mr. ENGEL: Petition of Harry L. Doty, Maurice M. Ward, Arthur E. Versluis, Wilford Hinshaw, and others, of Traverse City, Mich., protesting against the levying of any excise or processing taxes on primary food products; to the Committee on Ways and Means.

4762. By Mr. LUTHER A. JOHNSON: Petition of the Ellis County Agricultural Association of Waxahachie, Tex., favoring legislation to pay cotton farmers full parity prices for their 1938 cotton crop; to the Committee on Agriculture.

4763. Also, petition of Earlie H. Brannon, of Teague; Otis Strange, of Bynum; Rupert C. Robertson, of Kosse; and Frank P. Merryman, of Easterly, all of the State of Texas, favoring House bill 8893; to the Committee on World War Veterans' Legislation.

4764. By Mr. KEOGH: Petition of the Interstate Airways Committee, Washington, D. C., concerning House bill 9738; to the Committee on Interstate and Foreign Commerce.

4765. By Mr. MAVERICK: Petition of over 1,000 petitioners, protesting against the passage of House bill 9604, introduced by Mr. MAY, of Kentucky; to the Committee on Military Affairs.

4766. By Mr. PFEIFER: Petition of the Brooklyn Association for Improving the Condition of the Poor, Brooklyn, N. Y., urging the passage of Senate bill 2819; to the Committee on Interstate and Foreign Commerce.

4767. Also, petition of the Interstate Airways Committee, Washington, D. C., concerning the Lea bill (H. R. 9738); to the Committee on Interstate and Foreign Commerce.

4768. By Mr. QUINN: Resolution of the Tarentum District Industrial Union Council, Tarentum, Pa., R. E. Weems, recording secretary, opposing the Copeland-Bland bill (S. 3078), and demanding that Harry Bridges and the International Longshoremen's Union be given a hearing before the Senate Committee on Commerce; to the Committee on Labor.

4769. By Mr. RICH: Petition of citizens of Bradford, Pa., protesting against the passage of Senate bill 3331, the reorganization bill; to the Committee on Government Organization.

4770. By Mr. HANCOCK of New York: Resolution adopted by the Chamber of Commerce of Cortland, N. Y., in opposition to the reorganization bill; to the Committee on Government Organization.

## SENATE

THURSDAY, APRIL 7, 1938

(Legislative day of Wednesday, January 5, 1938)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

#### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, April 6, 1938, was dispensed with, and the Journal was approved.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Latta, one of his secretaries.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 7448) to provide for experimental air-mail services to further develop safety, efficiency, and economy, and for other purposes.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 28) authorizing the Special Committee to Investigate Unemployment and Relief, United States Senate, to have printed for its use additional copies of the hearings on the resolution (S. Res. 36) creating a Special Committee to Investigate Unemployment and Relief.

The message further announced that the House had agreed to concurrent resolution (H. Con. Res. 47), in which it requested the concurrence of the Senate, as follows:

*Resolved by the House of Representatives (the Senate concurring), That the Notes to the Rules of Civil Procedure for the District Courts of the United States, prepared under the direction of the Advisory Committee on Rules for Civil Procedure, be printed as a House document; and that 26,000 additional copies shall be printed, of which 17,000 copies shall be for the use of the House document room and 9,000 copies shall be for the use of the Senate document room.*

#### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 284. An act for the relief of Clear Creek Mountain Springs, Inc.;

S. 1448. An act for the relief of the Northeastern Piping & Construction Corporation, of North Tonawanda, N. Y.;

S. 1660. An act for the relief of Essie E. Leatherwood;

S. 3464. An act to extend the Metlakatla Indians' Citizenship Act;

H. R. 7836. An act to amend the Agricultural Adjustment Act, as amended, by including hops as a commodity to which orders under such act are applicable; and

H. R. 9605. An act to provide for a commissioned strength of 14,659 for the Regular Army.